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LEGISLATIVE HISTORY

Public Law 129--81st Congress

Chapter 246--1st Session

S. 1659

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FOREST FIRE COMPACT. S. 1659 gives consent of the U. S. Government to a forest-fire protection compact among seven northeastern States; provides for a Northeastern Forest Fire Protection Commission, with three representatives from each member State; authorizes the Commission to request the Forest Service to act as the primary research and coordinating agency; authorizes the Forest Service to prepare and present the initial fire plan; and provides that nothing in the Act shall be construed to affect any existing or future cooperative relationship or arrangement between the Forest Service and a member State or States.

INDEX AND SUMMARY OF HISTORY ON S. 1659

April 20, 1949	S. 1659 was introduced by Senator Aiken and Others and was referred to the Senate Committee on Agriculture and Forestry. Print of the bill as introduced.
May 5, 1949	H. R. 4535 was introduced by Rep. Cotton and was referred to the House Committee on Agriculture. Print of the bill as introduced. (Companion bill).
May 17, 1949	Senate Committee reported S. 1659 without amendment. Senate Report 396. Print of the bill as reported.
May 23, 1949	Senate discussed and passed S. 1659 as reported.
May 24, 1949	Print of S. 1659 as referred to the House Committee on Agriculture.
June 2, 1949	House Committee reported H. R. 4535 without amendment. House Report 721. Print of the bill as reported.
June 20, 1949	House substituted S. 1659 for H. R. 4535 and passed the senate bill as reported.
June 25, 1949	Approved. Public Law 129.

81ST CONGRESS
1ST SESSION

S. 1659

IN THE SENATE OF THE UNITED STATES

APRIL 20 (legislative day, APRIL 11), 1949

Mr. AIKEN (for himself, Mrs. SMITH of Maine, Mr. IVES, Mr. FLANDERS, Mr. BRIDGES, Mr. GREEN, Mr. SALTONSTALL, Mr. McGRATH, Mr. TOBEY, Mr. BALDWIN, Mr. McMAHON, Mr. WAGNER, and Mr. BREWSTER) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

Granting the consent and approval of Congress to an interstate forest fire protection compact.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent and approval of Congress is hereby given
4 to an interstate forest fire protection compact, as herein-
5 after set out; but before any province of the Dominion
6 of Canada shall be made a party to such compact, the
7 further consent of Congress shall first be obtained. Such
8 compact reads as follows:

1 NORTHEASTERN INTERSTATE FOREST FIRE
2 PROTECTION COMPACT

3 ARTICLE I

4 The purpose of this compact is to promote effective
5 prevention and control of forest fires in the northeastern
6 region of the United States and adjacent areas in Canada
7 by the development of integrated forest fire plans, by the
8 maintenance of adequate forest fire fighting services by the
9 member states, by providing for mutual aid in fighting forest
10 fires among the states of the region and for procedures that
11 will facilitate such aid, and by the establishment of a central
12 agency to coordinate the services of member states and per-
13 form such common services as member states may deem
14 desirable.

15 ARTICLE II

16 This agreement shall become operative immediately as
17 to those states ratifying it whenever any two or more of
18 the states of Maine, New Hampshire, Vermont, Rhode
19 Island, Connecticut, New York and the Commonwealth of
20 Massachusetts have ratified it and the Congress has given its
21 consent. Any state not mentioned in this article which is
22 contiguous with any member state may become a party to
23 this compact. Subject to the consent of the Congress of the
24 United States, any province of the Dominion of Canada
25 which is contiguous with any member state may become a

1 party to this compact by taking such action as its laws and
2 the laws of the Dominion of Canada may prescribe for rati-
3 fication. In this event, the term "state" in this compact
4 shall include within its meaning the term "province" and
5 the procedures prescribed shall be applied in the instance of
6 such provinces, in accordance with the forms and practices
7 of the Canadian Government.

8 ARTICLE III

9 Each state joining herein shall appoint three repre-
10 sentatives to a Commission hereby designated as the North-
11 eastern Forest Fire Protection Commission. One shall be
12 the State Forester or officer holding an equivalent position
13 in such state who is responsible for forest fire control.
14 The second shall be a member of the legislature of such
15 state designated by the Commission or committee on inter-
16 state cooperation of such state, or if there be none, or if
17 said Commission on interstate cooperation cannot consti-
18 tutionally designate the said member, such legislator shall
19 be designated by the governor thereof: provided that if
20 it is constitutionally impossible to appoint a legislator as
21 a Commissioner from such state, the second member shall
22 be appointed by the governor of said state in his discre-
23 tion. The third member shall be a person designated by
24 the governor as the responsible representative of the gov-
25 ernor. In the event that any province of the Dominion

1 of Canada shall become a member of this Commission, it
2 shall designate three members who will approximate this
3 pattern of representation to the extent possible under the
4 law and practices of such province. This Commission
5 shall be a body corporate with the powers and duties set
6 forth herein.

7 ARTICLE IV

8 It shall be the duty of the Commission to make inquiry
9 and ascertain from time to time such methods, practices,
10 circumstances and conditions as may be disclosed for bring-
11 ing about the prevention and control of forest fires in the
12 area comprising the member states, to coordinate the
13 forest fire plans and the work of the appropriate agen-
14 cies of the member states and to facilitate the rendering
15 of aid by the member states to each other in fighting forest
16 fires.

17 The Commission shall formulate and, in accordance with
18 need, from time to time, revise a regional forest fire plan
19 for the entire region covered by the compact which shall
20 serve as a common forest fire plan for that area.

21 The Commission shall, more than one month prior to
22 any regular meeting of the legislature in any signatory state,
23 present to the governor and to the legislature of the state
24 its recommendations relating to enactments to be made by

1 the legislature of that state in furthering the interests and
2 purposes of this compact.

3 The Commission shall consult with and advise the ap-
4 propriate administrative agencies of the states party hereto
5 with regard to problems connected with the prevention and
6 control of forest fires and recommend the adoption of such
7 regulations as it deems advisable.

8 The Commission shall have power to recommend to
9 the signatory states any and all measures that will effec-
10 tuate the prevention and control of forest fires.

11 ARTICLE V

12 Any two or more member states may designate the
13 Northeastern Forest Fire Protection Commission as a joint
14 agency to maintain such common services as those states
15 deem desirable for the prevention and control of forest fires.
16 Except in those cases where all member states join in such
17 designation for common services, the representatives of any
18 group of such designating states in the Northeastern Forest
19 Fire Protection Commission shall constitute a separate sec-
20 tion of such Commission for the performance of the common
21 service or services so designated provided that, if any addi-
22 tional expense is involved, the states so acting shall appro-
23 priate the necessary funds for this purpose. The creation
24 of such a section as a joint agency shall not affect the priv-

1 illeges, powers, responsibilities or duties of the states
2 participating therein as embodied in the other articles of
3 this compact.

4 ARTICLE VI

5 The Commission may request the United States Forest
6 Service to act as the primary research and coordinating
7 agency of the Northeastern Forest Fire Protection Com-
8 mission, in cooperation with the appropriate agencies in
9 each state and the United States Forest Service may accept
10 the initial responsibility in preparing and presenting to the
11 Commission its recommendations with respect to the regional
12 fire plan. Representatives of the United States Forest
13 Service may attend meetings of the Commission and of
14 groups of member states.

15 ARTICLE VII

16 The Commission shall annually elect from its members
17 a chairman and a vice-chairman. The Commission shall
18 appoint such officers or employees as may be required to
19 carry the provisions of this compact into effect, shall fix
20 and determine their duties, qualifications and compensation,
21 and may at its pleasure, remove or discharge any such
22 officer or employee. The Commission shall adopt rules and
23 regulations for the conduct of its business. It may establish
24 and maintain one or more offices for the transaction of its

1 business and may meet at any time or place but must meet
2 at least once a year.

3 A majority of the members of the Commission repre-
4 senting a majority of the signatory states shall constitute
5 a quorum for the transaction of its general business, but no
6 action of the Commission imposing any obligation on any
7 signatory state shall be binding unless a majority of the
8 members from such signatory state shall have voted in favor
9 thereof. For the purpose of conducting its general business,
10 voting shall be by state units.

11 The representatives of any two or more member states,
12 upon notice to the Chairman as to the time and purpose
13 of the meeting, may meet as a Section for the discussion
14 of problems common to those states.

15 Sections established by groups of member states shall
16 have the same powers with respect to officers, employees
17 and the maintenance of offices as are granted by this article
18 to the Commission. Sections may adopt such rules, regula-
19 tions and procedures as may be necessary for the conduct
20 of their business.

21 ARTICLE VIII

22 It shall be the duty of each member state to formulate
23 and put in effect a forest fire plan for that state and to take
24 such measures as may be recommended by the Commission

1 to integrate such forest fire plan with the regional forest fire
2 plan.

3 Whenever the state forest fire control agency of a mem-
4 ber state requests aid from the state forest fire control agency
5 of any other member state in combatting, controlling or
6 preventing forest fires, it shall be the duty of the state forest
7 fire control agency of that state to render all possible aid
8 to the requesting agency which is consonant with the mainte-
9 nance of protection at home.

10 Each signatory state agrees to render aid to the Forest
11 Service or other agencies of the government of the United
12 States in combatting, controlling or preventing forest fires
13 in areas under their jurisdiction located within the member
14 state or a contiguous member state.

15 ARTICLE IX

16 Whenever the forces of any member state are rendering
17 outside aid pursuant to the request of another member state
18 under this compact, the employees of such state shall, under
19 the direction of the officers of the state to which they are
20 rendering aid, have the same powers (except the power of
21 arrest), duties, rights, privileges and immunities as com-
22 parable employees of the state to which they are rendering
23 aid.

24 No member state or its officers or employees rendering
25 outside aid pursuant to this compact shall be liable on account

1 of any act or omission on the part of such forces while so
2 engaged, or on account of the maintenance or use of any
3 equipment or supplies in connection therewith.

4 All liability that may arise either under the laws of the
5 requesting state or under the laws of the aiding state or under
6 the laws of a third state on account of or in connection with
7 a request for aid, shall be assumed and borne by the request-
8 ing state.

9 Any member state rendering outside aid pursuant to
10 this compact shall be reimbursed by the member state
11 receiving such aid for any loss or damage to, or expense in-
12 curred in the operation of any equipment answering a
13 request for aid, and for the cost of all materials, transpor-
14 tation, wages, salaries, and maintenance of employees and
15 equipment incurred in connection with such request. Pro-
16 vided, that nothing herein contained shall prevent any assist-
17 ing member state from assuming such loss, damage, expense
18 or other cost or from loaning such equipment or from
19 donating such services to the receiving member state without
20 charge or cost.

21 Each member state shall provide for the payment of
22 compensation and death benefits to injured employees and
23 the representatives of deceased employees in case employees
24 sustain injuries or are killed while rendering outside aid
25 pursuant to this compact, in the same manner and on the

1 same terms as if the injury or death were sustained within
2 such state.

3 For the purposes of this compact the term employee
4 shall include any volunteer or auxiliary legally included
5 within the forest fire fighting forces of the aiding state under
6 the laws thereof.

7 The Commission shall formulate procedures for claims
8 and reimbursement under the provisions of this article.

9 Aid by a member state to an area subject to federal
10 jurisdiction beyond the borders of such state shall not be
11 required under this compact unless substantially the same
12 provisions of this article relative to powers, liabilities, losses
13 and expenses in connection with such aid are embodied
14 in federal laws.

15 ARTICLE X

16 When appropriations for the support of this Commis-
17 sion or for the support of common services maintained by
18 the Commission or a section thereof under the provisions
19 of Article V are necessary, the Commission or section there-
20 of shall allocate the costs among the states affected with
21 consideration of the amounts of forested land in those
22 states that will receive protection from the service to be
23 rendered and the extent of the forest fire problem involved
24 in each state, and shall submit its recommendations accord-
25 ingly to the legislatures of the affected states.

1 The Commission shall submit to the governor of each
2 state, at such time as he may request, a budget of its esti-
3 mated expenditures for such period as may be required
4 by the laws of such state for presentation to the legislature
5 thereof.

6 The Commission shall keep accurate books of account,
7 showing in full its receipts and disbursements, and said books
8 of account shall be open at any reasonable time to the
9 inspection of such representatives of the respective signatory
10 states as may be duly constituted for that purpose.

11 On or before the first day of December of each year,
12 the Commission shall submit to the respective governors of
13 the signatory states a full and complete report of its activities
14 for the preceding year.

15 ARTICLE XI

16 The representatives from any member state may appoint
17 and consult with an advisory committee composed of persons
18 interested in forest fire protection.

19 The Commission may appoint and consult with an ad-
20 visory committee of representatives of all affected groups,
21 private and governmental.

22 ARTICLE XII

23 The Commission may accept any and all donations, gifts
24 and grants of money, equipment, supplies, materials and
25 services from the federal or any local government, or any

1 agency thereof and from any person, firm or corporation,
2 for any of its purposes and functions under this compact,
3 and may receive and utilize the same subject to the terms,
4 conditions and regulations governing such donations, gifts
5 and grants.

6 ARTICLE XIII

7 Nothing in this compact shall be construed to authorize
8 or permit any member state to curtail or diminish its forest
9 fire fighting forces, equipment, services or facilities, and
10 it shall be the duty and responsibility of each member state
11 to maintain adequate forest fire fighting forces and equip-
12 ment to meet normal demands for forest fire protection
13 within its borders.

14 Nothing in this compact shall be construed to limit
15 or restrict the powers of any state ratifying the same to
16 provide for the prevention, control and extinguishment of
17 forest fires, or to prohibit the enactment or enforcement
18 of state laws, rules or regulations intended to aid in such
19 prevention, control and extinguishment in such state.

20 Nothing in this compact shall be construed to affect
21 any existing or future cooperative relationship or arrange-
22 ment between the United States Forest Service and a
23 member state or states.

ARTICLE XIV

1

2 This compact shall continue in force and remain binding
3 on each state ratifying it until the legislature or the gov-
4 ernor of such state takes action to withdraw therefrom. Such
5 action shall not be effective until six months after notice
6 thereof has been sent by the chief executive of the state
7 desiring to withdraw to the chief executives of all states
8 then parties to the compact.

9 SEC. 2. Without further submission of the compact,
10 the consent of Congress is given to any State to become a
11 party to it in accordance with its terms.

12 SEC. 3. The right to alter, amend, or repeal this Act
13 is expressly reserved.

A BILL

Granting the consent and approval of Congress
to an interstate forest fire protection compact.

By Mr. AIKEN, Mrs. SMITH of Maine, Mr. IYES,
Mr. FLANDERS, Mr. BRIDGES, Mr. GREEN, Mr.
SALTONSTALL, Mr. McGRATH, Mr. TOBEX, Mr.
BALDWIN, Mr. McMAHON, Mr. WAGNER, and
Mr. BREWSTER

APRIL 20 (legislative day, APRIL 11), 1949
Read twice and referred to the Committee on
Agriculture and Forestry

81ST CONGRESS
1ST SESSION

H. R. 4535

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 1949

Mr. CORTON introduced the following bill; which was referred to the Committee on Agriculture

A BILL

Granting the consent and approval of Congress to an interstate forest fire protection compact.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent and approval of Congress is hereby given
4 to an interstate forest fire protection compact, as herein-
5 after set out; but before any Province of the Dominion
6 of Canada shall be made a party to such compact, the
7 further consent of Congress shall first be obtained. Such
8 compact reads as follows:

1 NORTHEASTERN INTERSTATE FOREST FIRE
2 PROTECTION COMPACT

3 ARTICLE I

4 The purpose of this compact is to promote effective
5 prevention and control of forest fires in the northeastern
6 region of the United States and adjacent areas in Canada
7 by the development of integrated forest fire plans, by the
8 maintenance of adequate forest fire fighting services by the
9 member states, by providing for mutual aid in fighting forest
10 fires among the states of the region and for procedures that
11 will facilitate such aid, and by the establishment of a central
12 agency to coordinate the services of member states and per-
13 form such common services as member states may deem
14 desirable.

15 ARTICLE II

16 This agreement shall become operative immediately as
17 to those states ratifying it whenever any two or more of
18 the states of Maine, New Hampshire, Vermont, Rhode
19 Island, Connecticut, New York, and the Commonwealth of
20 Massachusetts have ratified it and the Congress has given its
21 consent. Any state not mentioned in this article which is
22 contiguous with any member state may become a party to
23 this compact. Subject to the consent of the Congress of the
24 United States, any province of the Dominion of Canada
25 which is contiguous with any member state may become a

1 party to this compact by taking such action as its laws and
2 the laws of the Dominion of Canada may prescribe for rati-
3 fication. In this event, the term "state" in this compact
4 shall include within its meaning the term "province" and
5 the procedures prescribed shall be applied in the instance of
6 such provinces, in accordance with the forms and practices
7 of the Canadian Government.

8 ARTICLE III

9 Each state joining herein shall appoint three repre-
10 sentatives to a Commission hereby designated as the North-
11 eastern Forest Fire Protection Commission. One shall be
12 the State Forester or officer holding an equivalent position
13 in such state who is responsible for forest fire control.
14 The second shall be a member of the legislature of such
15 state designated by the Commission or committee on inter-
16 state cooperation of such state, or if there be none, or if
17 said Commission on interstate cooperation cannot consti-
18 tutionally designate the said member, such legislator shall
19 be designated by the governor thereof: provided that if
20 it is constitutionally impossible to appoint a legislator as
21 a Commissioner from such state, the second member shall
22 be appointed by the governor of said state in his discre-
23 tion. The third member shall be a person designated by
24 the governor as the responsible representative of the gov-
25 ernor. In the event that any province of the Dominion

1 of Canada shall become a member of this Commission, it
2 shall designate three members who will approximate this
3 pattern of representation to the extent possible under the
4 law and practices of such province. This Commission
5 shall be a body corporate with the powers and duties set
6 forth herein.

7 ARTICLE IV

8 It shall be the duty of the Commission to make inquiry
9 and ascertain from time to time such methods, practices,
10 circumstances and conditions as may be disclosed for bring-
11 ing about the prevention and control of forest fires in the
12 area comprising the member states, to coordinate the
13 forest fire plans and the work of the appropriate agen-
14 cies of the member states and to facilitate the rendering
15 of aid by the member states to each other in fighting forest
16 fires.

17 The Commission shall formulate and, in accordance with
18 need, from time to time, revise a regional forest fire plan
19 for the entire region covered by the compact which shall
20 serve as a common forest fire plan for that area.

21 The Commission shall, more than one month prior to
22 any regular meeting of the legislature in any signatory state,
23 present to the governor and to the legislature of the state
24 its recommendations relating to enactments to be made by

1 the legislature of that state in furthering the interests and
2 purposes of this compact.

3 The Commission shall consult with and advise the ap-
4 propriate administrative agencies of the states party hereto
5 with regard to problems connected with the prevention and
6 control of forest fires and recommend the adoption of such
7 regulations as it deems advisable.

8 The Commission shall have power to recommend to
9 the signatory states any and all measures that will effec-
10 tuate the prevention and control of forest fires.

11 ARTICLE V

12 Any two or more member states may designate the
13 Northeastern Forest Fire Protection Commission as a joint
14 agency to maintain such common services as those states
15 deem desirable for the prevention and control of forest fires.
16 Except in those cases where all member states join in such
17 designation for common services, the representatives of any
18 group of such designating states in the Northeastern Forest
19 Fire Protection Commission shall constitute a separate sec-
20 tion of such Commission for the performance of the common
21 service or services so designated, provided that, if any addi-
22 tional expense is involved, the states so acting shall appro-
23 priate the necessary funds for this purpose. The creation
24 of such a section as a joint agency shall not affect the priv-

1 illeges, powers, responsibilities or duties of the states
2 participating therein as embodied in the other articles of this
3 compact.

4 ARTICLE VI

5 The Commission may request the United States Forest
6 Service to act as the primary research and coordinating
7 agency of the Northeastern Forest Fire Protection Com-
8 mission, in cooperation with the appropriate agencies in
9 each state and the United States Forest Service may accept
10 the initial responsibility in preparing and presenting to the
11 Commission its recommendations with respect to the regional
12 fire plan. Representatives of the United States Forest
13 Service may attend meetings of the Commission and of
14 groups of member states.

15 ARTICLE VII

16 The Commission shall annually elect from its members
17 a chairman and a vice-chairman. The Commission shall
18 appoint such officers or employees as may be required to
19 carry the provisions of this compact into effect, shall fix
20 and determine their duties, qualifications and compensation,
21 and may at its pleasure, remove or discharge any such
22 officer or employee. The Commission shall adopt rules and
23 regulations for the conduct of its business. It may establish
24 and maintain one or more offices for the transaction of its

1 business and may meet at any time or place but must meet
2 at least once a year.

3 A majority of the members of the Commission repre-
4 senting a majority of the signatory states shall constitute
5 a quorum for the transaction of its general business, but no
6 action of the Commission imposing any obligation on any
7 signatory state shall be binding unless a majority of the
8 members from such signatory state shall have voted in favor
9 thereof. For the purpose of conducting its general business,
10 voting shall be by state units.

11 The representatives of any two or more member states,
12 upon notice to the Chairman as to the time and purpose
13 of the meeting, may meet as a Section for the discussion
14 of problems common to those states.

15 Sections established by groups of member states shall
16 have the same powers with respect to officers, employees
17 and the maintenance of offices as are granted by this article
18 to the Commission. Sections may adopt such rules, regula-
19 tions and procedures as may be necessary for the conduct
20 of their business.

21 ARTICLE VIII

22 It shall be the duty of each member state to formulate
23 and put in effect a forest fire plan for that state and to take
24 such measures as may be recommended by the Commission

1 to integrate such forest fire plan with the regional forest fire
2 plan.

3 Whenever the state forest fire control agency of a mem-
4 ber state requests aid from the state forest fire control agency
5 of any other member state in combatting, controlling or
6 preventing forest fires, it shall be the duty of the state forest
7 fire control agency of that state to render all possible aid
8 to the requesting agency which is consonant with the mainte-
9 nance of protection at home.

10 Each signatory state agrees to render aid to the Forest
11 Service or other agencies of the Government of the United
12 States in combatting, controlling or preventing forest fires
13 in areas under their jurisdiction located within the member
14 state or a contiguous member state.

15 ARTICLE IX

16 Whenever the forces of any member state are rendering
17 outside aid pursuant to the request of another member state
18 under this compact, the employees of such state shall, under
19 the direction of the officers of the state to which they are
20 rendering aid, have the same powers (except the power of
21 arrest), duties, rights, privileges and immunities as com-
22 parable employees of the state to which they are rendering
23 aid.

24 No member state or its officers or employees rendering
25 outside aid pursuant to this compact shall be liable on account

1 of any act or omission on the part of such forces while so
2 engaged, or on account of the maintenance or use of any
3 equipment or supplies in connection therewith.

4 All liability that may arise either under the laws of the
5 requesting state or under the laws of the aiding state or under
6 the laws of a third state on account of or in connection with
7 a request for aid, shall be assumed and borne by the request-
8 ing state.

9 Any member state rendering outside aid pursuant to
10 this compact shall be reimbursed by the member state
11 receiving such aid for any loss or damage to, or expense in-
12 curred in the operation of any equipment answering a
13 request for aid, and for the cost of all materials, transpor-
14 tation, wages, salaries, and maintenance of employees and
15 equipment incurred in connection with such request. Pro-
16 vided, that nothing herein contained shall prevent any assist-
17 ing member state from assuming such loss, damage, expense
18 or other cost or from loaning such equipment or from
19 donating such services to the receiving member state without
20 charge or cost.

21 Each member state shall provide for the payment of
22 compensation and death benefits to injured employees and
23 the representatives of deceased employees in case employees
24 sustain injuries or are killed while rendering outside aid
25 pursuant to this compact, in the same manner and on the

1 same terms as if the injury or death were sustained within
2 such state.

3 For the purposes of this compact the term employee
4 shall include any volunteer or auxiliary legally included
5 within the forest fire fighting forces of the aiding state under
6 the laws thereof.

7 The Commission shall formulate procedures for claims
8 and reimbursement under the provisions of this article.

9 Aid by a member state to an area subject to federal
10 jurisdiction beyond the borders of such state shall not be
11 required under this compact unless substantially the same
12 provisions of this article relative to powers, liabilities, losses
13 and expenses in connection with such aid are embodied
14 in federal laws.

15 ARTICLE X

16 When appropriations for the support of this Commis-
17 sion or for the support of common services maintained by
18 the Commission or a section thereof under the provisions
19 of Article V are necessary, the Commission or section there-
20 of shall allocate the costs among the states affected with
21 consideration of the amounts of forested land in those
22 states that will receive protection from the service to be
23 rendered and the extent of the forest fire problem involved
24 in each state, and shall submit its recommendations accord-
25 ingly to the legislatures of the affected states.

1 The Commission shall submit to the governor of each
2 state, at such time as he may request, a budget of its esti-
3 mated expenditures for such period as may be required
4 by the laws of such state for presentation to the legislature
5 thereof.

6 The Commission shall keep accurate books of account,
7 showing in full its receipts and disbursements, and said books
8 of account shall be open at any reasonable time to the
9 inspection of such representatives of the respective signatory
10 states as may be duly constituted for that purpose.

11 On or before the first day of December of each year,
12 the Commission shall submit to the respective governors of
13 the signatory states a full and complete report of its activities
14 for the preceding year.

15 ARTICLE XI

16 The representatives from any member state may appoint
17 and consult with an advisory committee composed of persons
18 interested in forest fire protection.

19 The Commission may appoint and consult with an ad-
20 visory committee of representatives of all affected groups,
21 private and governmental.

22 ARTICLE XII

23 The Commission may accept any and all donations, gifts
24 and grants of money, equipment, supplies, materials and
25 services from the federal or any local government, or any

1 agency thereof and from any person, firm or corporation,
2 for any of its purposes and functions under this compact,
3 and may receive and utilize the same subject to the terms,
4 conditions and regulations governing such donations, gifts
5 and grants.

6 ARTICLE XIII

7 Nothing in this compact shall be construed to authorize
8 or permit any member state to curtail or diminish its forest
9 fire fighting forces, equipment, services or facilities, and
10 it shall be the duty and responsibility of each member state
11 to maintain adequate forest fire fighting forces and equip-
12 ment to meet normal demands for forest fire protection
13 within its borders.

14 Nothing in this compact shall be construed to limit
15 or restrict the powers of any state ratifying the same to
16 provide for the prevention, control and extinguishment of
17 forest fires, or to prohibit the enactment or enforcement
18 of state laws, rules or regulations intended to aid in such
19 prevention, control and extinguishment in such state.

20 Nothing in this compact shall be construed to affect
21 any existing or future cooperative relationship or arrange-
22 ment between the United States Forest Service and a
23 member state or states.

ARTICLE XIV

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This compact shall continue in force and remain binding on each state ratifying it until the legislature or the governor of such state takes action to withdraw therefrom. Such action shall not be effective until six months after notice thereof has been sent by the chief executive of the state desiring to withdraw to the chief executives of all states then parties to the compact.

9

10

11

SEC. 2. Without further submission of the compact, the consent of Congress is given to any State to become a party to it in accordance with its terms.

12

13

SEC. 3. The right to alter, amend, or repeal this Act is expressly reserved.

A BILL

Granting the consent and approval of Congress
to an interstate forest fire protection com-
pact.

By Mr. COTTON

MAY 5, 1949

Referred to the Committee on Agriculture

34

Calendar No. 384

81ST CONGRESS } 1st Session }	SENATE	{ REPORT No. 396
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GRANTING THE CONSENT AND APPROVAL OF CONGRESS
TO AN INTERSTATE FOREST FIRE PROTECTION COMPACT

MAY 17 (legislative day, APRIL 11), 1949.—Ordered to be printed

Mr. AIKEN, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany S. 1659]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1659) granting the consent and approval of Congress to an interstate forest fire protection compact, having considered same, report thereon with a recommendation that it do pass without amendment.

A report from the Department of Agriculture, dated May 10, 1949, and expressing approval of this legislation, is attached hereto and made a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington, May 10, 1949.

Hon. ELMER THOMAS,
Chairman, Senate Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR THOMAS: Reference is made to your request of April 21, 1949, for a report on S. 1659, a bill granting the consent and approval of Congress to an interstate forest fire protection compact.

The purpose of this bill is to approve a compact by seven Northeastern States. The purpose of this interstate compact is to obtain cooperation among the member States in preventing and suppressing forest fires. To be put into effect such a compact must be approved by the Congress.

Since the disastrous forest fires in Maine and other Northeastern States in the fall of 1947, various agencies have emphasized the need for closer integration of State fire plans and for more effective cooperation among the Northeastern States in order to help prevent similar disasters in the future. The compact set forth in S. 1659 is designed to meet that need.

This compact will not become operative until it is accepted by two or more of the six New England States and New York. Any member State, or with further consent of Congress, any Province of the Dominion of Canada which is contiguous with any member State, may become a party to the compact. A member State can withdraw from the compact by action of its governor or legislature after giving 6 months' notice of its intention to do so.

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2 CONSENT TO INTERSTATE FOREST FIRE PROTECTION COMPACT

Article III of the compact provides for a Northeastern Forest Fire Protection Commission consisting of three representatives of each member State. One of these three representatives shall be the State forester or other State official responsible for forest-fire control; the second a member of the legislature; the third a representative of the governor.

Article IV authorizes the Commission to study methods of preventing and controlling forest fires in the member States, to coordinate protection plans of the member States, and to facilitate interstate aid in forest-fire control especially during emergencies. The duties of the Commission are advisory rather than administrative, although article V provides that two or more member States may designate the Commission to perform for them specified administrative functions. Presumably these might include such services as sponsoring a program for better forest-fire prevention, testing and making specialized fire-control equipment, or any of the numerous fire-control measures for which the States have a common need.

Article VI states that the Commission may ask the United States Forest Service to act as its research and coordinating agency.

Article VIII requires each member State to integrate its forest-fire plan with the regional forest-fire plan which the Commission will formulate. Each State forest-fire-control agency will aid other member States and Federal agencies in preventing and controlling forest fires.

Article IX places all liability upon the requesting State where fire-control forces of a member State go to the aid of another member State.

Article X states that the Commission will submit to the governor of each member State a budget of its estimated expenditures and specifies how the costs of supporting the Commission and its services will be allocated among the member States.

Article XIII of the compact makes it clear that in large measure each State must continue to rely upon its own efforts to achieve adequate forest-fire control. The Commission, however, will be in a position to analyze the strength and weakness of the measures taken in each State and to recommend to the respective governors and legislatures such improvements as it judges necessary.

The requirement that State forest-fire-control plans be integrated into a regional plan will focus attention upon the importance of planning and will make for harmonious action among the States. The provisions for one State to aid another will authorize and systematize actions which heretofore either have not been taken or have been taken in emergencies without adequate legislative authority.

Article XIII also states "Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member State or States." We interpret this to mean that the long-standing Federal-State cooperative forest-fire-protection program authorized by section 2 of the Clarke-McNary Act of 1924 (43 Stat. 653) will not in any way be adversely affected by provisions of the proposed compact. S. 1659 in itself or by approval of this interstate compact does not in our opinion increase or lessen the authority already granted the Department by Congress for supervision of this Federal-State cooperative forest-fire-protection program. It is believed that the responsibilities which under the terms of the compact are assigned to the Forest Service of this Department may be legally accepted by the Department under present authority. There has not been opportunity to explore this matter fully and it is possible that situations may develop which would make it advisable to request necessary additional authority from the Congress. There is, of course, no present authority for cooperation by the Department in this work with any Canadian Province.

In the opinion of this Department, the interstate compact authorized by this proposed legislation will be helpful in attaining more adequate protection against forest fires in the member States.

The Department recommends enactment of S. 1659.

In view of your request for an immediate report, there has not been time to obtain from the Bureau of the Budget advice as to the relationship of the proposed legislation to the program of the President.

Sincerely yours,

A. J. LOVELAND, *Under Secretary.*



81ST CONGRESS
1ST SESSION

Calendar No. 384

S. 1659

[Report No. 396]

IN THE SENATE OF THE UNITED STATES

APRIL 20 (legislative day, APRIL 11), 1949

Mr. AIKEN (for himself, Mrs. SMITH of Maine, Mr. IVES, Mr. FLANDERS, Mr. BRIDGES, Mr. GREEN, Mr. SALTONSTALL, Mr. McGRATH, Mr. TOBEY, Mr. BALDWIN, Mr. McMAHON, Mr. WAGNER, and Mr. BREWSTER) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

MAY 17 (legislative day, APRIL 11), 1949

Reported by Mr. AIKEN, without amendment

A BILL

Granting the consent and approval of Congress to an interstate forest fire protection compact.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent and approval of Congress is hereby given
4 to an interstate forest fire protection compact, as herein-
5 after set out; but before any province of the Dominion
6 of Canada shall be made a party to such compact, the
7 further consent of Congress shall first be obtained. Such
8 compact reads as follows:

1 NORTHEASTERN INTERSTATE FOREST FIRE
2 PROTECTION COMPACT

3 ARTICLE I

4 The purpose of this compact is to promote effective
5 prevention and control of forest fires in the northeastern
6 region of the United States and adjacent areas in Canada
7 by the development of integrated forest fire plans, by the
8 maintenance of adequate forest fire fighting services by the
9 member states, by providing for mutual aid in fighting forest
10 fires among the states of the region and for procedures that
11 will facilitate such aid, and by the establishment of a central
12 agency to coordinate the services of member states and per-
13 form such common services as member states may deem
14 desirable.

15 ARTICLE II

16 This agreement shall become operative immediately as
17 to those states ratifying it whenever any two or more of
18 the states of Maine, New Hampshire, Vermont, Rhode
19 Island, Connecticut, New York and the Commonwealth of
20 Massachusetts have ratified it and the Congress has given its
21 consent. Any state not mentioned in this article which is
22 contiguous with any member state may become a party to
23 this compact. Subject to the consent of the Congress of the
24 United States, any province of the Dominion of Canada
25 which is contiguous with any member state may become a

1 party to this compact by taking such action as its laws and
2 the laws of the Dominion of Canada may prescribe for rati-
3 fication. In this event, the term "state" in this compact
4 shall include within its meaning the term "province" and
5 the procedures prescribed shall be applied in the instance of
6 such provinces, in accordance with the forms and practices
7 of the Canadian Government.

8 ARTICLE III

9 Each state joining herein shall appoint three repre-
10 sentatives to a Commission hereby designated as the North-
11 eastern Forest Fire Protection Commission. One shall be
12 the State Forester or officer holding an equivalent position
13 in such state who is responsible for forest fire control.
14 The second shall be a member of the legislature of such
15 state designated by the Commission or committee on inter-
16 state cooperation of such state, or if there be none, or if
17 said Commission on interstate cooperation cannot consti-
18 tutionally designate the said member, such legislator shall
19 be designated by the governor thereof: provided that if
20 it is constitutionally impossible to appoint a legislator as
21 a Commissioner from such state, the second member shall
22 be appointed by the governor of said state in his discre-
23 tion. The third member shall be a person designated by
24 the governor as the responsible representative of the gov-
25 ernor. In the event that any province of the Dominion

1 of Canada shall become a member of this Commission, it
2 shall designate three members who will approximate this
3 pattern of representation to the extent possible under the
4 law and practices of such province. This Commission
5 shall be a body corporate with the powers and duties set
6 forth herein.

7 ARTICLE IV

8 It shall be the duty of the Commission to make inquiry
9 and ascertain from time to time such methods, practices,
10 circumstances and conditions as may be disclosed for bring-
11 ing about the prevention and control of forest fires in the
12 area comprising the member states, to coordinate the
13 forest fire plans and the work of the appropriate agen-
14 cies of the member states and to facilitate the rendering
15 of aid by the member states to each other in fighting forest
16 fires.

17 The Commission shall formulate and, in accordance with
18 need, from time to time, revise a regional forest fire plan
19 for the entire region covered by the compact which shall
20 serve as a common forest fire plan for that area.

21 The Commission shall, more than one month prior to
22 any regular meeting of the legislature in any signatory state,
23 present to the governor and to the legislature of the state
24 its recommendations relating to enactments to be made by

1 the legislature of that state in furthering the interests and
2 purposes of this compact.

3 The Commission shall consult with and advise the ap-
4 propriate administrative agencies of the states party hereto
5 with regard to problems connected with the prevention and
6 control of forest fires and recommend the adoption of such
7 regulations as it deems advisable.

8 The Commission shall have power to recommend to
9 the signatory states any and all measures that will effec-
10 tuate the prevention and control of forest fires.

11 ARTICLE V

12 Any two or more member states may designate the
13 Northeastern Forest Fire Protection Commission as a joint
14 agency to maintain such common services as those states
15 deem desirable for the prevention and control of forest fires.
16 Except in those cases where all member states join in such
17 designation for common services, the representatives of any
18 group of such designating states in the Northeastern Forest
19 Fire Protection Commission shall constitute a separate sec-
20 tion of such Commission for the performance of the common
21 service or services so designated provided that, if any addi-
22 tional expense is involved, the states so acting shall appro-
23 priate the necessary funds for this purpose. The creation
24 of such a section as a joint agency shall not affect the priv-

1 illeges, powers, responsibilities or duties of the states
2 participating therein as embodied in the other articles of
3 this compact.

4 ARTICLE VI

5 The Commission may request the United States Forest
6 Service to act as the primary research and coordinating
7 agency of the Northeastern Forest Fire Protection Com-
8 mission, in cooperation with the appropriate agencies in
9 each state and the United States Forest Service may accept
10 the initial responsibility in preparing and presenting to the
11 Commission its recommendations with respect to the regional
12 fire plan. Representatives of the United States Forest
13 Service may attend meetings of the Commission and of
14 groups of member states.

15 ARTICLE VII

16 The Commission shall annually elect from its members
17 a chairman and a vice-chairman. The Commission shall
18 appoint such officers or employees as may be required to
19 carry the provisions of this compact into effect, shall fix
20 and determine their duties, qualifications and compensation,
21 and may at its pleasure, remove or discharge any such
22 officer or employee. The Commission shall adopt rules and
23 regulations for the conduct of its business. It may establish
24 and maintain one or more offices for the transaction of its

1 business and may meet at any time or place but must meet
2 at least once a year.

3 A majority of the members of the Commission repre-
4 senting a majority of the signatory states shall constitute
5 a quorum for the transaction of its general business, but no
6 action of the Commission imposing any obligation on any
7 signatory state shall be binding unless a majority of the
8 members from such signatory state shall have voted in favor
9 thereof. For the purpose of conducting its general business,
10 voting shall be by state units.

11 The representatives of any two or more member states,
12 upon notice to the Chairman as to the time and purpose
13 of the meeting, may meet as a Section for the discussion
14 of problems common to those states.

15 Sections established by groups of member states shall
16 have the same powers with respect to officers, employees
17 and the maintenance of offices as are granted by this article
18 to the Commission. Sections may adopt such rules, regula-
19 tions and procedures as may be necessary for the conduct
20 of their business.

21 ARTICLE VIII

22 It shall be the duty of each member state to formulate
23 and put in effect a forest fire plan for that state and to take
24 such measures as may be recommended by the Commission

1 to integrate such forest fire plan with the regional forest fire
2 plan.

3 Whenever the state forest fire control agency of a mem-
4 ber state requests aid from the state forest fire control agency
5 of any other member state in combatting, controlling or
6 preventing forest fires, it shall be the duty of the state forest
7 fire control agency of that state to render all possible aid
8 to the requesting agency which is consonant with the mainte-
9 nance of protection at home.

10 Each signatory state agrees to render aid to the Forest
11 Service or other agencies of the government of the United
12 States in combatting, controlling or preventing forest fires
13 in areas under their jurisdiction located within the member
14 state or a contiguous member state.

15 ARTICLE IX

16 Whenever the forces of any member state are rendering
17 outside aid pursuant to the request of another member state
18 under this compact, the employees of such state shall, under
19 the direction of the officers of the state to which they are
20 rendering aid, have the same powers (except the power of
21 arrest), duties, rights, privileges and immunities as com-
22 parable employees of the state to which they are rendering
23 aid.

24 No member state or its officers or employees rendering
25 outside aid pursuant to this compact shall be liable on account

1 of any act or omission on the part of such forces while so
2 engaged, or on account of the maintenance or use of any
3 equipment or supplies in connection therewith.

4 All liability that may arise either under the laws of the
5 requesting state or under the laws of the aiding state or under
6 the laws of a third state on account of or in connection with
7 a request for aid, shall be assumed and borne by the request-
8 ing state.

9 Any member state rendering outside aid pursuant to
10 this compact shall be reimbursed by the member state
11 receiving such aid for any loss or damage to, or expense in-
12 curred in the operation of any equipment answering a
13 request for aid, and for the cost of all materials, transpor-
14 tation, wages, salaries, and maintenance of employees and
15 equipment incurred in connection with such request. Pro-
16 vided, that nothing herein contained shall prevent any assist-
17 ing member state from assuming such loss, damage, expense
18 or other cost or from loaning such equipment or from
19 donating such services to the receiving member state without
20 charge or cost.

21 Each member state shall provide for the payment of
22 compensation and death benefits to injured employees and
23 the representatives of deceased employees in case employees
24 sustain injuries or are killed while rendering outside aid
25 pursuant to this compact, in the same manner and on the

1 same terms as if the injury or death were sustained within
2 such state.

3 For the purposes of this compact the term employee
4 shall include any volunteer or auxiliary legally included
5 within the forest fire fighting forces of the aiding state under
6 the laws thereof.

7 The Commission shall formulate procedures for claims
8 and reimbursement under the provisions of this article.

9 Aid by a member state to an area subject to federal
10 jurisdiction beyond the borders of such state shall not be
11 required under this compact unless substantially the same
12 provisions of this article relative to powers, liabilities, losses
13 and expenses in connection with such aid are embodied
14 in federal laws.

15 ARTICLE X

16 When appropriations for the support of this Commis-
17 sion or for the support of common services maintained by
18 the Commission or a section thereof under the provisions
19 of Article V are necessary, the Commission or section there-
20 of shall allocate the costs among the states affected with
21 consideration of the amounts of forested land in those
22 states that will receive protection from the service to be
23 rendered and the extent of the forest fire problem involved
24 in each state, and shall submit its recommendations accord-
25 ingly to the legislatures of the affected states.

1 The Commission shall submit to the governor of each
2 state, at such time as he may request, a budget of its esti-
3 mated expenditures for such period as may be required
4 by the laws of such state for presentation to the legislature
5 thereof.

6 The Commission shall keep accurate books of account,
7 showing in full its receipts and disbursements, and said books
8 of account shall be open at any reasonable time to the
9 inspection of such representatives of the respective signatory
10 states as may be duly constituted for that purpose.

11 On or before the first day of December of each year,
12 the Commission shall submit to the respective governors of
13 the signatory states a full and complete report of its activities
14 for the preceding year.

15 ARTICLE XI

16 The representatives from any member state may appoint
17 and consult with an advisory committee composed of persons
18 interested in forest fire protection.

19 The Commission may appoint and consult with an ad-
20 visory committee of representatives of all affected groups,
21 private and governmental.

22 ARTICLE XII

23 The Commission may accept any and all donations, gifts
24 and grants of money, equipment, supplies, materials and
25 services from the federal or any local government, or any

1 agency thereof and from any person, firm or corporation,
2 for any of its purposes and functions under this compact,
3 and may receive and utilize the same subject to the terms,
4 conditions and regulations governing such donations, gifts
5 and grants.

6 ARTICLE XIII

7 Nothing in this compact shall be construed to authorize
8 or permit any member state to curtail or diminish its forest
9 fire fighting forces, equipment, services or facilities, and
10 it shall be the duty and responsibility of each member state
11 to maintain adequate forest fire fighting forces and equip-
12 ment to meet normal demands for forest fire protection
13 within its borders.

14 Nothing in this compact shall be construed to limit
15 or restrict the powers of any state ratifying the same to
16 provide for the prevention, control and extinguishment of
17 forest fires, or to prohibit the enactment or enforcement
18 of state laws, rules or regulations intended to aid in such
19 prevention, control and extinguishment in such state.

20 Nothing in this compact shall be construed to affect
21 any existing or future cooperative relationship or arrange-
22 ment between the United States Forest Service and a
23 member state or states.

ARTICLE XIV

1
2 This compact shall continue in force and remain binding
3 on each state ratifying it until the legislature or the gov-
4 ernor of such state takes action to withdraw therefrom. Such
5 action shall not be effective until six months after notice
6 thereof has been sent by the chief executive of the state
7 desiring to withdraw to the chief executives of all states
8 then parties to the compact.

9 SEC. 2. Without further submission of the compact,
10 the consent of Congress is given to any State to become a
11 party to it in accordance with its terms.

12 SEC. 3. The right to alter, amend, or repeal this Act
13 is expressly reserved.

A BILL

Granting the consent and approval of Congress
to an interstate forest fire protection compact.

By Mr. AIKEN, Mrs. SMITH of Maine, Mr. IVES,
Mr. FLANDERS, Mr. BRIDGES, Mr. GREEN, Mr.
SANTONSTALL, Mr. McGRATH, Mr. TOBEY, Mr.
BALDWIN, Mr. McMAHON, Mr. WAGNER, and
Mr. BREWSTER

APRIL 20 (legislative day, APRIL 11), 1949

Read twice and referred to the Committee on
Agriculture and Forestry

MAY 17 (legislative day, APRIL 11), 1949

Reported without amendment

vided. The bill also will establish a repository for such an audit.

Mr. LUCAS. Mr. President, I cannot agree with my distinguished friend as to the value of this type of legislation, if under it the responsibilities of the committee will in any way be decreased. The Senator has said that the responsibilities will remain the same, regardless of the fact that rules and regulations will be established and a report will be obtained from the Attorney General. Nevertheless, the Senator has said that he considers that the committee's responsibilities will remain the same as they would be if the proposed legislation were not passed.

Mr. KILGORE. Let me say to the distinguished majority leader that when the Senate created its legislative drafting service, that action did not excuse Members of the Senate for introducing bad legislation, but gave them a facility which was badly needed in connection with the drafting of legislation. Likewise, the Legislative Reference Service was a facility which was badly needed. Similarly, the executive assistants who have been provided for Senators have been badly needed; but their appointment did not decrease the responsibility of Senators. Of course, if we were to infer that all Members of the Senate would lie down on the job, that would be a different matter.

At the present time those who have not served as chairman of the subcommittee charged with the handling of this matter can scarcely appreciate the difficulties involved. The Senator from West Virginia was, unfortunately, for 4 years chairman of the subcommittee, and had a painful and bloody experience in finding out these things.

The bill now before us has been drafted in part for the purpose of permitting whoever is chairman of the subcommittee to obtain the information he will need in making a report to the committee.

The VICE PRESIDENT. Under the rule, the Senator's time has expired.

Mr. ANDERSON. Mr. President, reserving the right to object, I should like to ask what would happen to other organizations, under this measure, if enacted.

Section 3 provides that no corporation shall be organized if any part of its income is paid to any of its members. Let me point out, for instance, that the American Legion has some very good persons who serve as its officials.

Mr. KILGORE. But they are paid salaries as employees, not as members of the Legion.

Mr. ANDERSON. But the bill says that no member shall draw any part of the income of the organization, as paid by its members.

Mr. KILGORE. The national commander of the American Legion does not draw a salary.

Mr. ANDERSON. No, but Mr. Taylor does.

Mr. KILGORE. But other Legionnaires may be employed, and they are employees. We feel that that provision would not affect them. I should be glad to have the distinguished Senator from

New Mexico suggest a provision which would protect in that situation. But this measure contemplates that no one shall organize a nonprofit corporation or be a stockholder or member of a nonprofit corporation for his own personal benefit. However, if he becomes an employee of the organization, not an executive of it, he may be paid by the organization.

Mr. ANDERSON. Let me refer to the situation relative to the Boy Scouts. I happen to be a member of the National Council of the Boy Scouts of America. The person who administers that organization is a member of the Council. Under this measure, he would be prohibited from receiving pay.

Furthermore, this measure contains a provision that the officers of the corporation must be elected by democratic procedures. Many years ago I was elected president of an organization known as the Rotary International. At that time the election was conducted by democratic methods. However, at the present time that organization uses a system which I do not regard as being democratic by a handful of men who serve on its board. Under the provisions of the measure we are now considering, that organization might be prevented from obtaining a charter.

Frankly, I am afraid of the situation in that respect.

Mr. O'CONOR. Mr. President, I am sure the Senator from New Mexico understands that this measure would apply only to future applicants.

Mr. ANDERSON. I understand that; but I realize that if this measure had been in effect in the past, the American Legion could not have obtained a charter.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. Let the bill go over.

The VICE PRESIDENT. Objection being heard, the bill will be passed over.

BILL PASSED OVER

The bill (H. R. 3181) to provide for more effective conservation in the arid and semiarid areas of the United States, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. THYE. Reserving the right to object, I should like to have an explanation of the bill.

The VICE PRESIDENT. The Senator from Wyoming [Mr. O'MAHONEY] reported the bill. He does not seem to be present at this moment.

Mr. THYE. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

INTERSTATE COMPACT FOR DIVISION OF WATERS OF THE YELLOWSTONE RIVER

The bill (H. R. 2566) granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River was considered, ordered to a third reading, read the third time, and passed.

ADDITION OF LAND TO ABRAHAM LINCOLN NATIONAL HISTORICAL PARK, KY.

The bill (H. R. 3259) to add to the Abraham Lincoln National Historical Park, Ky., certain land acquired by the United States for that purpose was considered, ordered to a third reading, read the third time, and passed.

CARL PIOWATY AND W. J. PIOWATY—BILL PASSED OVER

The bill (S. 478) for the relief of Carl Piowaty and W. J. Piowaty was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. Mr. President, may we have an explanation?

Mr. HOLLAND. Mr. President, the two Piowatys, Carl and W. J., are farmers residing in Orange County, Fla. They were 2 of 50 farmers who planted certain crops for war purposes in the year 1943, and for that purpose they received certain advances from the Regional Agricultural Credit Corporation.

It is my understanding that due to climatic and weather conditions, the crops of the whole group failed; but when it came to obtaining releases from the necessity of repaying the loans—repayment being required under the contract, unless the local war board certified that the losses sustained were not chargeable to poor agricultural husbandry—the other 48 growers obtained acquittals from the war-board members of that county, but these 2 men did not. The members of the local war board refused to certify that these two men had used proper agricultural practices.

The matter went to trial in the Florida courts. It appeared that the members of the local war board had not actually seen the property or visited it, but made their findings upon the report of the field agent of the Regional Agricultural Credit Corporation. Judgment went against these two men—the Piowatys—and was appealed to the Supreme Court of Florida, which divided 4 to 3—4 for sustaining the judgment of the lower court on the ground that these two men had not been shown to have used proper agricultural practices, and 3 for reversal on the ground that the Piowatys had used proper practices.

The claim was brought to the Congress last year.

Now, for the first time, this matter comes to the floor of the Senate.

It was the feeling of the Senators from Florida that these two men, being the only ones out of the 50 for whom cancellation of their remaining indebtedness was not permitted, and the question having been found to be as close as it was by the Supreme Court of Florida, the loan should be canceled, which would mean the cancellation of the judgment based upon the suit as upheld by the supreme court by the 4-to-3 decision I have just mentioned. That was also the finding of the Senate Committee on Agriculture and Forestry.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. Mr. President, in view of the fact that the county war board refused the claim, and it has also been denied by two courts, I ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

DISPOSITION OF FARM CAMPS

The bill (H. R. 2906) to provide a 1 year's extension of time for the disposition of farm labor camps to public or semipublic agencies or nonprofit associations of farmers, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Reserving the right to object, I should like to ask the distinguished Senator from Florida one or two questions, if he will yield.

Mr. HOLLAND. I yield.

Mr. HENDRICKSON. I wonder why the Secretary of Agriculture has failed to sell these farm labor camps as he was directed to do by Congress some 2 years ago. Why that lapse of time, when the properties could have been sold on a high market?

Mr. HOLLAND. I may say to the distinguished Senator that a great many of the camps have been disposed of, but there are still undisposed of, as shown by the report, a certain number of the camps. The difficulty has been to sell them to cooperative associations or others who will maintain the camps for the original purpose; that is, for the housing of migratory agricultural laborers. It is the feeling of the Secretary of Agriculture, as reported to our committee, that an additional year's time may enable him to make such disposal of the remaining camps. Failure to pass the pending bill would simply mean that he is under mandatory direction from the Congress to dispose of them, however he may, between now and June 30, which did not appeal to the committee as being a reasonable disposition to make of the matter.

Mr. HENDRICKSON. Mr. President, if the Senator will yield further, how many of the labor camps were there originally?

Mr. HOLLAND. I have the number in the report, if the Senator will bear with me a moment.

Mr. MORSE. There were 53.

Mr. HOLLAND. There were 53 originally, of which 14 have been disposed of, 39 are not disposed of. I can speak with assurance only of those which are undisposed of in the State of Florida. They are being operated by associations not for profit, which are using them for the original purpose, but which have not been willing to buy the camps at the prices fixed by the Department of Agriculture.

Mr. President, answering further, I should say candidly to the Senator that I understand the Department of Agriculture is endeavoring and proposing to work out an arrangement under which the camps can be transferred to a hous-

ing agency for more permanent operation in accordance with the original purpose. This year's extension however will allow one of two things—either the disposal of the camps, under the purpose of the original bill, or if the Congress so decides, meantime, the turning over of these remaining camps to such objective as the Congress proposes, in connection with a permanent housing program for agricultural labor.

Mr. HENDRICKSON. I thank the Senator.

The VICE PRESIDENT. Without objection—

Mr. WILLIAMS. Mr. President, if the Senator will yield, I should like to ask a further question. I notice in the report that in the letter of the Secretary of Agriculture he says:

It has been suggested that the remaining farm-labor camps should be dealt with as a part of the low-rent housing of the Nation-wide housing program.

In view of the fact that that law has not been enacted by both Houses of Congress, I wonder whether he is not a little premature in suggesting this as a part of that program.

Mr. HOLLAND. Mr. President, I am sorry I was unable to hear the Senator's question.

Mr. WILLIAMS. I was just reading that portion of the letter of the Secretary of Agriculture in which he outlines his plan to use these labor camps as a part of the national housing program, and, in view of the fact that that law itself has not yet been passed by Congress, I was wondering whether he was not ahead of himself a little.

Mr. HOLLAND. If the Senator will permit me to say so, I thought I made it clear that this was simply a hope and expectation and recommendation of the Secretary of Agriculture. The extension of the existing bill for 1 year would leave two alternatives; one, the continuing effort to dispose of the camps, or any of them, under the provisions of the existing law; the other, giving opportunity to Congress—not to anybody else—to carry out these recommendations with reference to the transfer to a housing organization, not yet formed.

Mr. WILLIAMS. Mr. President, will the Senator from Florida accept an amendment limiting this to 6 months instead of a year?

Mr. HOLLAND. If the Senator should insist upon it, of course, I would. But I think the Senator would cut down the opportunity to work out this whole program, because if Congress is to be in adjournment by some time in July, I think it will not allow the requisite time to work out this matter. It was my feeling that the 1 year was the smallest amount of time which would allow a reasonable working out—a working out in two directions, either the sale, the disposition, which has to be one by one, of course, to organized groups of farmers, in the particular localities, of the remaining 39, or the change in policy, which can be effectuated only by the Congress.

Mr. MORSE. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Oregon?

Mr. HOLLAND. I yield.

Mr. MORSE. It is true, is it not, that we have already had one extension, because we found it necessary to have an extension not only for the purpose of giving the Department more time to sell the property, but, last year, we had to make use of some of this property in connection with the itinerant-worker problem. I want to say to my good friend, I know the situation on the west coast, and in that area we have been making use of this property to house itinerant workers whom the Congress, in a law which was enacted, authorized us to import, from Florida, for example, to help in the sugarbeet fields and in some of our orchards. I know that at the present time, as the Senator from Florida has pointed out, effort is being made to dispose of these facilities to farm groups, so that they will be available, in the communities in which they are located, for occupancy by transient and itinerant workers. We all know that there is a great need for decent housing for such workers. I may say to the Senator from Delaware [Mr. WILLIAMS] that I think to prescribe a 6 months' limitation in the bill, in view of what is transpiring in that locality at the present time, would allow too short a time for the equitable disposal of these projects.

Mr. WILLIAMS. In view of that explanation, I withdraw the objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2906) was considered, ordered to a third reading, read the third time, and passed.

INTERSTATE FOREST FIRE PROTECTION COMPACT

The bill (S. 1659) granting the consent and approval of Congress to an interstate forest fire protection compact, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to an interstate forest fire protection compact, as hereinafter set out; but before any province of the Dominion of Canada shall be made a party to such compact, the further consent of Congress shall first be obtained. Such compact reads as follows:

NORTHEASTERN INTERSTATE FOREST FIRE PROTECTION COMPACT

ARTICLE I

The purpose of this compact is to promote effective prevention and control of forest fires in the northeastern region of the United States and adjacent areas in Canada by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member States, by providing for mutual aid in fighting forest fires among the States of the region and for procedures that will facilitate such aid, and by the establishment of a central agency to coordinate the services of member States and perform such common services as member States may deem desirable.

ARTICLE II

This agreement shall become operative immediately as to those States ratifying it when-

ever any two or more of the States of Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York and the Commonwealth of Massachusetts have ratified it and the Congress has given its consent. Any State not mentioned in this article which is contiguous with any member State may become a party to this compact. Subject to the consent of the Congress of the United States, any Province of the Dominion of Canada which is contiguous with any member State may become a party to this compact by taking such action as its laws and the laws of the Dominion of Canada may prescribe for ratification. In this event, the term "State" in this compact shall include within its meaning the term "province" and the procedures prescribed shall be applied in the instance of such provinces, in accordance with the forms and practices of the Canadian Government.

ARTICLE III

Each State joining herein shall appoint three representatives to a Commission hereby designated as the Northeastern Forest Fire Protection Commission. One shall be the State Forester or officer holding an equivalent position in such State who is responsible for forest fire control. The second shall be a member of the legislature of such State designated by the Commission or committee on interstate cooperation of such State, or if there be none, or if said Commission on interstate cooperation cannot constitutionally designate the said member, such legislator shall be designated by the governor thereof: provided that if it is constitutionally impossible to appoint a legislator as a Commissioner from such State, the second member shall be appointed by the governor of said State in his discretion. The third member shall be a person designated by the governor as the responsible representative of the governor. In the event that any province of the Dominion of Canada shall become a member of this Commission, it shall designate three members who will approximate this pattern of representation to the extent possible under the law and practices of such province. This Commission shall be a body corporate with the powers and duties set forth herein.

ARTICLE IV

It shall be the duty of the Commission to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the prevention and control of forest fires in the area comprising the member States, to coordinate the forest fire plans and the work of the appropriate agencies of the member States and to facilitate the rendering of aid by the member States to each other in fighting forest fires.

The Commission shall formulate and, in accordance with need, from time to time, revise a regional forest-fire plan for the entire region covered by the compact which shall serve as a common forest fire plan for that area.

The Commission shall, more than one month prior to any regular meeting of the legislature in any signatory State, present to the governor and to the legislature of the State its recommendations relating to enactments to be made by the legislature of that State in furthering the interests and purposes of this compact.

The Commission shall consult with and advise the appropriate administrative agencies of the States party hereto with regard to problems connected with the prevention and control of forest fires and recommended the adoption of such regulations as it deems advisable.

The Commission shall have power to recommend to the signatory States any and all measures that will effectuate the prevention and control of forest fires.

ARTICLE V

Any two or more member States may designate the Northeastern Forest Fire Protection Commission as a joint agency to maintain such common services as those States deem desirable for the prevention and control of forest fires. Except in those cases where all member States join in such designation for common services, the representatives of any group of such designating States in the Northeastern Forest Fire Protection Commission shall constitute a separate section of such Commission for the performance of the common service or services so designated provided that, if any additional expense is involved, the States so acting shall appropriate the necessary funds for this purpose. The creation of such a section as a joint agency shall not affect the privileges, powers, responsibilities or duties of the States participating therein as embodied in the other articles of this compact.

ARTICLE VI

The Commission may request the United States Forest Service to act as the primary research and coordinating agency of the Northeastern Forest Fire Protection Commission, in cooperation with the appropriate agencies in each State and the United States Forest Service may accept the initial responsibility in preparing and presenting to the Commission its recommendations with respect to the regional fire plan. Representatives of the United States Forest Service may attend meetings of the Commission and of groups of member States.

ARTICLE VII

The Commission shall annually elect from its members a chairman and a vice chairman. The Commission shall appoint such officers or employees as may be required to carry the provisions of this compact into effect, shall fix and determine their duties, qualifications and compensation, and may at its pleasure, remove or discharge any such officer or employee. The Commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

A majority of the members of the Commission representing a majority of the signatory States shall constitute a quorum for the transaction of its general business, but no action of the Commission imposing any obligation on any signatory State shall be binding unless a majority of the members from such signatory State shall have voted in favor thereof. For the purpose of conducting its general business, voting shall be by State units.

The representatives of any two or more member States, upon notice to the chairman as to the time and purpose of the meeting, may meet as a section for the discussion of problems common to those States.

Sections established by groups of member States shall have the same powers with respect to officers, employees, and the maintenance of offices as are granted by this article to the Commission. Sections may adopt such rules, regulations, and procedures as may be necessary for the conduct of their business.

ARTICLE VIII

It shall be the duty of each member State to formulate and put in effect a forest-fire plan for that State and to take such measures as may be recommended by the Commission to integrate such forest-fire plan with the regional forest-fire plan.

Whenever the State forest-fire control agency of a member State requests aid from any other member State in combatting, controlling, or preventing forest fires, it shall be the duty of the State forest-fire control agency of that State to render all possible aid to the

requesting agency which is consonant with the maintenance of protection at home.

Each signatory State agrees to render aid to the Forest Service or other agencies of the Government of the United States in combatting, controlling, or preventing forest fires in areas under their jurisdiction located within the member State or a contiguous member State.

ARTICLE IX

Whenever the forces of any member State are rendering outside aid pursuant to the request of another member State under this compact, the employees of such State shall, under the direction of the officers of the State to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges, and immunities as comparable employees of the State to which they are rendering aid.

No member State or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

All liability that may arise either under the laws of the requesting State or under the laws of the aiding State or under the laws of a third State on account of or in connection with a request for aid, shall be assumed and borne by the requesting State.

Any member State rendering outside aid pursuant to this compact shall be reimbursed by the member State receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and maintenance of employees and equipment incurred in connection with such request. Provided, that nothing herein contained shall prevent any assisting member State from assuming such loss, damage, expense, or other cost or from loaning such equipment or from donating such services to the receiving member State without charge or cost.

Each member State shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such State.

For the purposes of this compact the term employee shall include any volunteer or auxiliary legally included within the forest-fire-fighting forces of the aiding State under the laws thereof.

The Commission shall formulate procedures for claims and reimbursement under the provisions of this article.

Aid by a member State to an area subject to Federal jurisdiction beyond the borders of such State shall not be required under this compact unless substantially the same provisions of this article relative to powers, liabilities, losses, and expenses in connection with such aid are embodied in Federal laws.

ARTICLE X

When appropriations for the support of this Commission or for the support of common services maintained by the Commission or a section thereof under the provisions of article V are necessary, the Commission or section thereof shall allocate the costs among the States affected with consideration of the amounts of forested land in those States that will receive protection from the service to be rendered and the extent of the forest-fire problem involved in each State, and shall submit its recommendations accordingly to the legislatures of the affected States.

The Commission shall submit to the governor of each State, at such time as he

may request, a budget of its estimated expenditures for such period as may be required by the laws of such State for presentation to the legislature thereof.

The Commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time to the inspection of such representatives of the respective signatory States as may be duly constituted for that purpose.

On or before the first day of December of each year, the Commission shall submit to the respective governors of the signatory States a full and complete report of its activities for the preceding year.

ARTICLE XI

The representatives from any member State may appoint and consult with an advisory committee composed of persons interested in forest-fire protection.

The Commission may appoint and consult with an advisory committee of representatives of all affected groups, private and governmental.

ARTICLE XII

The Commission may accept any and all donations, gifts and grants of money, equipment, supplies, materials, and services from the Federal or any local government, or any agency thereof and from any person, firm, or corporation, for any of its purposes and functions under this compact, and may receive and utilize the same, subject to the terms, conditions, and regulations governing such donations, gifts, and grants.

ARTICLE XIII

Nothing in this compact shall be construed to authorize or permit any member State to curtail or diminish its forest-fire-fighting forces, equipment, services, or facilities, and it shall be the duty and responsibility of each member State to maintain adequate forest-fire-fighting forces and equipment to meet normal demands for forest-fire protection within its borders.

Nothing in this compact shall be construed to limit or restrict the powers of any State ratifying the same to provide for the prevention, control, and extinguishment of forest fires, or to prohibit the enactment or enforcement of State laws, rules, or regulations intended to aid in such prevention, control, and extinguishment in such State.

Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member State or States.

ARTICLE XIV

This compact shall continue in force and remain binding on each State ratifying it until the legislature or governor of such State takes action to withdraw therefrom. Such action shall not be effective until 6 months after notice thereof has been sent by the chief executive of the State desiring to withdraw to the chief executives of all States then parties to the compact.

Sec. 2. Without further submission of the compact, the consent of Congress is given to any State to become a party to it in accordance with its terms.

Sec. 3. The right to alter, amend, or repeal this act is expressly reserved.

CARSON NATIONAL FOREST, N. MEX.

The bill (H. R. 55) to include certain lands in the Carson National Forest, N. Mex., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. Was Calendar 385, H. R. 4151, called?

The VICE PRESIDENT. House bill 4151 was passed when we reached a similar Senate bill, Calendar 353, S. 1448.

SALE OF LAND AT SOUTH NAKNEK, ALASKA, FOR CEMETERY PURPOSES

The bill (H. R. 2812) to direct the Secretary of the Interior to sell certain land at South Naknek to the Russian Orthodox Greek Catholic Church of North America, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. May we have an explanation of the bill?

The VICE PRESIDENT. The Senator from Oregon requests an explanation of the bill. The Senator from Wyoming reported the bill. He does not seem to be present.

Mr. ANDERSON. Mr. President, I do not find the bill at the moment, but I am familiar with it, and I am sure it is a bill to which the Senator would not object, if he had an explanation of it.

Mr. MORSE. I have the bill in front of me, I may say to my good friend from New Mexico, but I do not see anything about the price. It says "that upon the filing of an application and the payment of \$10 within 1 year from the date of this act."

How much does the applicant in fact get for the \$10?

Mr. BUTLER. He gets sixty-one one-hundredths of an acre.

Mr. MORSE. It provides "that upon the filing of his application and the payment of \$10 within 1 year from the date."

How much land is involved in connection with the payment of \$10?

Mr. BUTLER. It is sixty-one one-hundredths of an acre.

Mr. ANDERSON. Mr. President, the practice in Alaska makes the acquisition of title to real estate extremely difficult, as the Senator from Nebraska [Mr. BUTLER] knows better, I am sure, than does any other Senator on the floor. The bill was drawn to direct the Secretary of the Interior to sell certain land there. It was thought proper to provide a complete title, and it was felt there would never be occasion for reversion of this particular piece of land to the Government.

Mr. MORSE. Mr. President, I understand from my good friend from Nebraska that this fraction of an acre of land will be used for cemetery purposes, and I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2812) was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 2931) to provide for the conveyance by the United States to Frank C. Wilson of certain lands formerly owned by him was announced as next in order.

Mr. WILLIAMS. Mr. President, may we have an explanation of the bill?

Mr. BUTLER. Mr. President, the Senator from Wyoming not being present, all the information I can give is what is contained in the report, which amounts

to this, that Mr. Wilson donated to the Government of the United States a certain tract of land, the same tract which it is now proposed that the Government give back to Mr. Wilson. The donation was for the purpose of a wild fowl refuge, but the plan was not successful, and the Fish and Wildlife Service and the Department of the Interior are anxious to get the land off their hands and return it to Mr. Wilson.

Mr. WILLIAMS. Does the Senator from Nebraska know how much money has been expended on it?

Mr. BUTLER. Very little money has been expended. I think that is one reason that Mr. Wilson is willing to take the land back.

Mr. WILLIAMS. Mr. President, I ask that the bill be passed over.

The VICE PRESIDENT. The bill will be passed over.

TIMBER OPERATIONS ON MENOMINEE INDIAN RESERVATION, WIS.

The bill (H. R. 3396) to amend the law relating to timber operations on the Menominee Indian Reservation in Wisconsin was considered, ordered to a third reading, read the third time, and passed.

SALE OF PUBLIC LANDS TO ALASKA COUNCIL OF BOY SCOUTS OF AMERICA

The Senate proceeded to consider the bill (H. R. 1337) to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for recreation and other public purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 2, after line 14, to insert a new section 3, as follows:

SEC. 3. That such conveyance shall contain the further provision that if the Alaska Council of Boy Scouts of America shall at any time cease to use the property so conveyed for recreation and other public purposes title thereto shall revert to the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

CLARIFICATION OF OVERTIME COMPENSATION PROVISIONS OF THE FAIR LABOR STANDARDS ACT

The Senate proceeded to consider the bill (H. R. 858) to clarify the overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in longshore, stevedoring, building, and construction industries, which had been reported from the Committee on Labor and Public Welfare with amendments on page 1, line 7, after the word "employee", to strike out "employed in the longshore, stevedoring, building, and construction industries"; and on page 2, after line 19, to insert a new section, as follows:

SEC. 2. No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended (in any action or proceeding commenced prior to or on or after the date of the enactment of this act), on account of the failure of said employer to pay an employee compensation for any period of overtime work performed prior to the date of enactment of this act, if the compensation paid prior to such date for

81ST CONGRESS
1ST SESSION

S. 1659

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 1949

Referred to the Committee on Agriculture

AN ACT

Granting the consent and approval of Congress to an interstate forest fire protection compact.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent and approval of Congress is hereby given
4 to an interstate forest fire protection compact, as herein-
5 after set out; but before any province of the Dominion
6 of Canada shall be made a party to such compact, the
7 further consent of Congress shall first be obtained. Such
8 compact reads as follows:

1 NORTHEASTERN INTERSTATE FOREST FIRE
2 PROTECTION COMPACT

3 ARTICLE I

4 The purpose of this compact is to promote effective
5 prevention and control of forest fires in the northeastern
6 region of the United States and adjacent areas in Canada
7 by the development of integrated forest fire plans, by the
8 maintenance of adequate forest fire fighting services by the
9 member states, by providing for mutual aid in fighting forest
10 fires among the states of the region and for procedures that
11 will facilitate such aid, and by the establishment of a central
12 agency to coordinate the services of member states and per-
13 form such common services as member states may deem
14 desirable.

15 ARTICLE II

16 This agreement shall become operative immediately as
17 to those states ratifying it whenever any two or more of
18 the states of Maine, New Hampshire, Vermont, Rhode
19 Island, Connecticut, New York and the Commonwealth of
20 Massachusetts have ratified it and the Congress has given its
21 consent. Any state not mentioned in this article which is
22 contiguous with any member state may become a party to
23 this compact. Subject to the consent of the Congress of the
24 United States, any province of the Dominion of Canada
25 which is contiguous with any member state may become a

1 party to this compact by taking such action as its laws and
2 the laws of the Dominion of Canada may prescribe for rati-
3 fication. In this event, the term "state" in this compact
4 shall include within its meaning the term "province" and
5 the procedures prescribed shall be applied in the instance of
6 such provinces, in accordance with the forms and practices
7 of the Canadian Government.

8 ARTICLE III

9 Each state joining herein shall appoint three repre-
10 sentatives to a Commission hereby designated as the North-
11 eastern Forest Fire Protection Commission. One shall be
12 the State Forester or officer holding an equivalent position
13 in such state who is responsible for forest fire control.
14 The second shall be a member of the legislature of such
15 state designated by the Commission or committee on inter-
16 state cooperation of such state, or if there be none, or if
17 said Commission on interstate cooperation cannot consti-
18 tutionally designate the said member, such legislator shall
19 be designated by the governor thereof: provided that if
20 it is constitutionally impossible to appoint a legislator as
21 a Commissioner from such state, the second member shall
22 be appointed by the governor of said state in his discre-
23 tion. The third member shall be a person designated by
24 the governor as the responsible representative of the gov-
25 ernor. In the event that any province of the Dominion

1 of Canada shall become a member of this Commission, it
2 shall designate three members who will approximate this
3 pattern of representation to the extent possible under the
4 law and practices of such province. This Commission
5 shall be a body corporate with the powers and duties set
6 forth herein.

7 ARTICLE IV

8 It shall be the duty of the Commission to make inquiry
9 and ascertain from time to time such methods, practices,
10 circumstances and conditions as may be disclosed for bring-
11 ing about the prevention and control of forest fires in the
12 area comprising the member states, to coordinate the
13 forest fire plans and the work of the appropriate agen-
14 cies of the member states and to facilitate the rendering
15 of aid by the member states to each other in fighting forest
16 fires.

17 The Commission shall formulate and, in accordance with
18 need, from time to time, revise a regional forest fire plan
19 for the entire region covered by the compact which shall
20 serve as a common forest fire plan for that area.

21 The Commission shall, more than one month prior to
22 any regular meeting of the legislature in any signatory state,
23 present to the governor and to the legislature of the state
24 its recommendations relating to enactments to be made by

1 the legislature of that state in furthering the interests and
2 purposes of this compact.

3 The Commission shall consult with and advise the ap-
4 propriate administrative agencies of the states party hereto
5 with regard to problems connected with the prevention and
6 control of forest fires and recommend the adoption of such
7 regulations as it deems advisable.

8 The Commission shall have power to recommend to
9 the signatory states any and all measures that will effec-
10 tuate the prevention and control of forest fires.

11 ARTICLE V

12 Any two or more member states may designate the
13 Northeastern Forest Fire Protection Commission as a joint
14 agency to maintain such common services as those states
15 deem desirable for the prevention and control of forest fires.
16 Except in those cases where all member states join in such
17 designation for common services, the representatives of any
18 group of such designating states in the Northeastern Forest
19 Fire Protection Commission shall constitute a separate sec-
20 tion of such Commission for the performance of the common
21 service or services so designated provided that, if any addi-
22 tional expense is involved, the states so acting shall appro-
23 priate the necessary funds for this purpose. The creation
24 of such a section as a joint agency shall not affect the priv-

1 illeges, powers, responsibilities or duties of the states
2 participating therein as embodied in the other articles of
3 this compact.

4 ARTICLE VI

5 The Commission may request the United States Forest
6 Service to act as the primary research and coordinating
7 agency of the Northeastern Forest Fire Protection Com-
8 mission, in cooperation with the appropriate agencies in
9 each state and the United States Forest Service may accept
10 the initial responsibility in preparing and presenting to the
11 Commission its recommendations with respect to the regional
12 fire plan. Representatives of the United States Forest
13 Service may attend meetings of the Commission and of
14 groups of member states.

15 ARTICLE VII

16 The Commission shall annually elect from its members
17 a chairman and a vice-chairman. The Commission shall
18 appoint such officers or employees as may be required to
19 carry the provisions of this compact into effect, shall fix
20 and determine their duties, qualifications and compensation,
21 and may at its pleasure, remove or discharge any such
22 officer or employee. The Commission shall adopt rules and
23 regulations for the conduct of its business. It may establish
24 and maintain one or more offices for the transaction of its

1 business and may meet at any time or place but must meet
2 at least once a year.

3 A majority of the members of the Commission repre-
4 senting a majority of the signatory states shall constitute
5 a quorum for the transaction of its general business, but no
6 action of the Commission imposing any obligation on any
7 signatory state shall be binding unless a majority of the
8 members from such signatory state shall have voted in favor
9 thereof. For the purpose of conducting its general business,
10 voting shall be by state units.

11 The representatives of any two or more member states,
12 upon notice to the Chairman as to the time and purpose
13 of the meeting, may meet as a Section for the discussion
14 of problems common to those states.

15 Sections established by groups of member states shall
16 have the same powers with respect to officers, employees
17 and the maintenance of offices as are granted by this article
18 to the Commission. Sections may adopt such rules, regula-
19 tions and procedures as may be necessary for the conduct
20 of their business.

21 ARTICLE VIII

22 It shall be the duty of each member state to formulate
23 and put in effect a forest fire plan for that state and to take
24 such measures as may be recommended by the Commission

1 to integrate such forest fire plan with the regional forest fire
2 plan.

3 Whenever the state forest fire control agency of a mem-
4 ber state requests aid from the state forest fire control agency
5 of any other member state in combatting, controlling or
6 preventing forest fires, it shall be the duty of the state forest
7 fire control agency of that state to render all possible aid
8 to the requesting agency which is consonant with the mainte-
9 nance of protection at home.

10 Each signatory state agrees to render aid to the Forest
11 Service or other agencies of the government of the United
12 States in combatting, controlling or preventing forest fires
13 in areas under their jurisdiction located within the member
14 state or a contiguous member state.

15 ARTICLE IX

16 Whenever the forces of any member state are rendering
17 outside aid pursuant to the request of another member state
18 under this compact, the employees of such state shall, under
19 the direction of the officers of the state to which they are
20 rendering aid, have the same powers (except the power of
21 arrest), duties, rights, privileges and immunities as com-
22 parable employees of the state to which they are rendering
23 aid.

24 No member state or its officers or employees rendering
25 outside aid pursuant to this compact shall be liable on account

1 of any act or omission on the part of such forces while so
2 engaged, or on account of the maintenance or use of any
3 equipment or supplies in connection therewith.

4 All liability that may arise either under the laws of the
5 requesting state or under the laws of the aiding state or under
6 the laws of a third state on account of or in connection with
7 a request for aid, shall be assumed and borne by the request-
8 ing state.

9 Any member state rendering outside aid pursuant to
10 this compact shall be reimbursed by the member state
11 receiving such aid for any loss or damage to, or expense in-
12 curred in the operation of any equipment answering a
13 request for aid, and for the cost of all materials, transpor-
14 tation, wages, salaries, and maintenance of employees and
15 equipment incurred in connection with such request. Pro-
16 vided, that nothing herein contained shall prevent any assist-
17 ing member state from assuming such loss, damage, expense
18 or other cost or from loaning such equipment or from
19 donating such services to the receiving member state without
20 charge or cost.

21 Each member state shall provide for the payment of
22 compensation and death benefits to injured employees and
23 the representatives of deceased employees in case employees
24 sustain injuries or are killed while rendering outside aid
25 pursuant to this compact, in the same manner and on the

1 same terms as if the injury or death were sustained within
2 such state.

3 For the purposes of this compact the term employee
4 shall include any volunteer or auxiliary legally included
5 within the forest fire fighting forces of the aiding state under
6 the laws thereof.

7 The Commission shall formulate procedures for claims
8 and reimbursement under the provisions of this article.

9 Aid by a member state to an area subject to federal
10 jurisdiction beyond the borders of such state shall not be
11 required under this compact unless substantially the same
12 provisions of this article relative to powers, liabilities, losses
13 and expenses in connection with such aid are embodied
14 in federal laws.

15 ARTICLE X

16 When appropriations for the support of this Commis-
17 sion or for the support of common services maintained by
18 the Commission or a section thereof under the provisions
19 of Article V are necessary, the Commission or section there-
20 of shall allocate the costs among the states affected with
21 consideration of the amounts of forested land in those
22 states that will receive protection from the service to be
23 rendered and the extent of the forest fire problem involved
24 in each state, and shall submit its recommendations accord-
25 ingly to the legislatures of the affected states.

1 The Commission shall submit to the governor of each
2 state, at such time as he may request, a budget of its esti-
3 mated expenditures for such period as may be required
4 by the laws of such state for presentation to the legislature
5 thereof.

6 The Commission shall keep accurate books of account,
7 showing in full its receipts and disbursements, and said books
8 of account shall be open at any reasonable time to the
9 inspection of such representatives of the respective signatory
10 states as may be duly constituted for that purpose.

11 On or before the first day of December of each year,
12 the Commission shall submit to the respective governors of
13 the signatory states a full and complete report of its activities
14 for the preceding year.

15 ARTICLE XI

16 The representatives from any member state may appoint
17 and consult with an advisory committee composed of persons
18 interested in forest fire protection.

19 The Commission may appoint and consult with an ad-
20 visory committee of representatives of all affected groups,
21 private and governmental.

22 ARTICLE XII

23 The Commission may accept any and all donations, gifts
24 and grants of money, equipment, supplies, materials and
25 services from the federal or any local government, or any

1 agency thereof and from any person, firm or corporation,
2 for any of its purposes and functions under this compact,
3 and may receive and utilize the same subject to the terms,
4 conditions and regulations governing such donations, gifts
5 and grants.

6 ARTICLE XIII

7 Nothing in this compact shall be construed to authorize
8 or permit any member state to curtail or diminish its forest
9 fire fighting forces, equipment, services or facilities, and
10 it shall be the duty and responsibility of each member state
11 to maintain adequate forest fire fighting forces and equip-
12 ment to meet normal demands for forest fire protection
13 within its borders.

14 Nothing in this compact shall be construed to limit
15 or restrict the powers of any state ratifying the same to
16 provide for the prevention, control and extinguishment of
17 forest fires, or to prohibit the enactment or enforcement
18 of state laws, rules or regulations intended to aid in such
19 prevention, control and extinguishment in such state.

20 Nothing in this compact shall be construed to affect
21 any existing or future cooperative relationship or arrange-
22 ment between the United States Forest Service and a
23 member state or states.

ARTICLE XIV

1

2 This compact shall continue in force and remain binding
3 on each state ratifying it until the legislature or the gov-
4 ernor of such state takes action to withdraw therefrom. Such
5 action shall not be effective until six months after notice
6 thereof has been sent by the chief executive of the state
7 desiring to withdraw to the chief executives of all states
8 then parties to the compact.

9 SEC. 2. Without further submission of the compact,
10 the consent of Congress is given to any State to become a
11 party to it in accordance with its terms.

12 SEC. 3. The right to alter, amend, or repeal this Act
13 is expressly reserved.

Passed the Senate May 23, 1949.

Attest:

LESLIE L. BIFFLE,

Secretary.

AN ACT

Granting the consent and approval of Congress
to an interstate forest fire protection compact.

MAY 24, 1949

Referred to the Committee on Agriculture

NEW ENGLAND FOREST COMPACT

JUNE 2, 1949.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture submitted the following

REPORT

[To accompany H. R. 4535]

The Committee on Agriculture, to whom was referred the bill (H. R. 4535) granting the consent and approval of Congress to an interstate forest fire protection compact, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to give the consent of Congress to an interstate compact to be entered into by the New England States and the State of New York, regarding cooperative action between the States in forest-fire control and related forestry activities.

The bill imposes no liability or responsibility on the part of the Federal Government in assenting to the compact, and merely fulfills the constitutional requirement that interstate compacts must receive the consent of Congress. The bill also provides that adjacent Provinces of Canada may become parties to the compact, but requires that any such action must have the specific approval of Congress.

DEPARTMENT REPORT

An identical bill (S. 1659) has been introduced in the Senate and favorable action has been recommended by the Department of Agriculture. The letter of the Under Secretary of Agriculture to Hon. Elmer Thomas, chairman of the Senate Committee on Agriculture and Forestry, recommending approval of S. 1659, is appended hereto and made a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington, May 10, 1949.

HON. ELMER THOMAS,

*Chairman, Senate Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR THOMAS: Reference is made to your request of April 21, 1949, for a report on S. 1659, a bill granting the consent and approval of Congress to an interstate forest fire-protection compact.

The purpose of this bill is to approve a compact by seven Northeastern States. The purpose of this interstate compact is to obtain cooperation among the member States in preventing and suppressing forest fires. To be put into effect such a compact must be approved by the Congress.

Since the disastrous forest fires in Maine and other Northeastern States in the fall of 1947, various agencies have emphasized the need for closer integration of State fire plans and for more effective cooperation among the Northeastern States in order to help prevent similar disasters in the future. The compact set forth in S. 1659 is designed to meet that need.

This compact will not become operative until it is accepted by two or more of the six New England States and New York. Any member State, or with further consent of Congress, any Province of the Dominion of Canada which is contiguous with any member State, may become a party to the compact. A member State can withdraw from the compact by action of its governor or legislature after giving 6 months' notice of its intention to do so.

Article III of the compact provides for a Northeastern Forest Fire Protection Commission consisting of three representatives of each member State. One of these three representatives shall be the State forester or other State official responsible for forest-fire control; the second a member of the legislature; the third a representative of the governor.

Article IV authorizes the Commission to study methods of preventing and controlling forest fires in the member States, to coordinate protection plans of the member States, and to facilitate interstate aid in forest-fire control especially during emergencies. The duties of the Commission are advisory rather than administrative, although article V provides that two or more member States may designate the Commission to perform for them specified administrative functions. Presumably these might include such services as sponsoring a program for better forest-fire prevention, testing and making specialized fire-control equipment, or any of the numerous fire-control measures for which the States have a common need.

Article VI states that the Commission may ask the United States Forest Service to act as its research and coordinating agency.

Article VIII requires each member State to integrate its forest-fire plan with the regional forest-fire plan which the Commission will formulate. Each State forest-fire-control agency will aid other member States and Federal agencies in preventing and controlling forest fires.

Article IX places all liability upon the requesting State where fire-control forces of a member State go to the aid of another member State.

Article X states that the Commission will submit to the governor of each member State a budget of its estimated expenditures and specifies how the costs of supporting the Commission and its services will be allocated among the member States.

Article XIII of the compact makes it clear that in large measure each State must continue to rely upon its own efforts to achieve adequate forest-fire control. The Commission, however, will be in a position to analyze the strength and weakness of the measures taken in each State and to recommend to the respective governors and legislatures such improvements as it judges necessary.

The requirement that State forest-fire-control plans be integrated into a regional plan will focus attention upon the importance of planning and will make for harmonious action among the States. The provisions for one State to aid another will authorize and systematize actions which heretofore either have not been taken or have been taken in emergencies without adequate legislative authority.

Article XIII also states "Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member State or States." We interpret this to mean that the long-standing Federal-State cooperative forest-fire-protection program authorized by section 2 of the Clarke-McNary Act of 1924 (43 Stat. 653) will not in any way be adversely affected by provisions of the proposed com-

pact. S. 1659 in itself or by approval of this interstate compact does not in our opinion increase or lessen the authority already granted the Department by Congress for supervision of this Federal-State cooperative forest-fire-protection program. It is believed that the responsibilities which under the terms of the compact are assigned to the Forest Service of this Department may be legally accepted by the Department under present authority. There has not been opportunity to explore this matter fully and it is possible that situations may develop which would make it advisable to request necessary additional authority from the Congress. There is, of course, no present authority for cooperation by the Department in this work with any Canadian Province.

In the opinion of this Department, the interstate compact authorized by this proposed legislation will be helpful in attaining more adequate protection against forest fires in the member States.

The Department recommends enactment of S. 1659.

In view of your request for an immediate report, there has not been time to obtain from the Bureau of the Budget advice as to the relationship of the proposed legislation to the program of the President.

Sincerely yours,

A. J. LOVELAND, *Under Secretary.*



Union Calendar No. 282

81ST CONGRESS
1ST SESSION

H. R. 4535

[Report No. 721]

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 1949

Mr. COTTON introduced the following bill; which was referred to the Committee on Agriculture

JUNE 2, 1949

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

Granting the consent and approval of Congress to an interstate
forest fire protection compact.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent and approval of Congress is hereby given
4 to an interstate forest fire protection compact, as herein-
5 after set out; but before any Province of the Dominion
6 of Canada shall be made a party to such compact, the
7 further consent of Congress shall first be obtained. Such
8 compact reads as follows:

1 NORTHEASTERN INTERSTATE FOREST FIRE
2 PROTECTION COMPACT

3 ARTICLE I

4 The purpose of this compact is to promote effective
5 prevention and control of forest fires in the northeastern
6 region of the United States and adjacent areas in Canada
7 by the development of integrated forest fire plans, by the
8 maintenance of adequate forest fire fighting services by the
9 member states, by providing for mutual aid in fighting forest
10 fires among the states of the region and for procedures that
11 will facilitate such aid, and by the establishment of a central
12 agency to coordinate the services of member states and per-
13 form such common services as member states may deem
14 desirable.

15 ARTICLE II

16 This agreement shall become operative immediately as
17 to those states ratifying it whenever any two or more of
18 the states of Maine, New Hampshire, Vermont, Rhode
19 Island, Connecticut, New York, and the Commonwealth of
20 Massachusetts have ratified it and the Congress has given its
21 consent. Any state not mentioned in this article which is
22 contiguous with any member state may become a party to
23 this compact. Subject to the consent of the Congress of the
24 United States, any province of the Dominion of Canada
25 which is contiguous with any member state may become a

1 party to this compact by taking such action as its laws and
2 the laws of the Dominion of Canada may prescribe for rati-
3 fication. In this event, the term "state" in this compact
4 shall include within its meaning the term "province" and
5 the procedures prescribed shall be applied in the instance of
6 such provinces, in accordance with the forms and practices
7 of the Canadian Government.

8 ARTICLE III

9 Each state joining herein shall appoint three repre-
10 sentatives to a Commission hereby designated as the North-
11 eastern Forest Fire Protection Commission. One shall be
12 the State Forester or officer holding an equivalent position
13 in such state who is responsible for forest fire control.
14 The second shall be a member of the legislature of such
15 state designated by the Commission or committee on inter-
16 state cooperation of such state, or if there be none, or if
17 said Commission on interstate cooperation cannot consti-
18 tutionally designate the said member, such legislator shall
19 be designated by the governor thereof: provided that if
20 it is constitutionally impossible to appoint a legislator as
21 a Commissioner from such state, the second member shall
22 be appointed by the governor of said state in his discre-
23 tion. The third member shall be a person designated by
24 the governor as the responsible representative of the gov-
25 ernor. In the event that any province of the Dominion

1 of Canada shall become a member of this Commission, it
2 shall designate three members who will approximate this
3 pattern of representation to the extent possible under the
4 law and practices of such province. This Commission
5 shall be a body corporate with the powers and duties set
6 forth herein.

7 ARTICLE IV

8 It shall be the duty of the Commission to make inquiry
9 and ascertain from time to time such methods, practices,
10 circumstances and conditions as may be disclosed for bring-
11 ing about the prevention and control of forest fires in the
12 area comprising the member states, to coordinate the
13 forest fire plans and the work of the appropriate agen-
14 cies of the member states and to facilitate the rendering
15 of aid by the member states to each other in fighting forest
16 fires.

17 The Commission shall formulate and, in accordance with
18 need, from time to time, revise a regional forest fire plan
19 for the entire region covered by the compact which shall
20 serve as a common forest fire plan for that area.

21 The Commission shall, more than one month prior to
22 any regular meeting of the legislature in any signatory state,
23 present to the governor and to the legislature of the state
24 its recommendations relating to enactments to be made by

1 the legislature of that state in furthering the interests and
2 purposes of this compact.

3 The Commission shall consult with and advise the ap-
4 propriate administrative agencies of the states party hereto
5 with regard to problems connected with the prevention and
6 control of forest fires and recommend the adoption of such
7 regulations as it deems advisable.

8 The Commission shall have power to recommend to
9 the signatory states any and all measures that will effec-
10 tuate the prevention and control of forest fires.

11 ARTICLE V

12 Any two or more member states may designate the
13 Northeastern Forest Fire Protection Commission as a joint
14 agency to maintain such common services as those states
15 deem desirable for the prevention and control of forest fires.
16 Except in those cases where all member states join in such
17 designation for common services, the representatives of any
18 group of such designating states in the Northeastern Forest
19 Fire Protection Commission shall constitute a separate sec-
20 tion of such Commission for the performance of the common
21 service or services so designated, provided that, if any addi-
22 tional expense is involved, the states so acting shall appro-
23 priate the necessary funds for this purpose. The creation
24 of such a section as a joint agency shall not affect the priv-

1 illeges, powers, responsibilities or duties of the states
2 participating therein as embodied in the other articles of this
3 compact.

4 ARTICLE VI

5 The Commission may request the United States Forest
6 Service to act as the primary research and coordinating
7 agency of the Northeastern Forest Fire Protection Com-
8 mission, in cooperation with the appropriate agencies in
9 each state and the United States Forest Service may accept
10 the initial responsibility in preparing and presenting to the
11 Commission its recommendations with respect to the regional
12 fire plan. Representatives of the United States Forest
13 Service may attend meetings of the Commission and of
14 groups of member states.

15 ARTICLE VII

16 The Commission shall annually elect from its members
17 a chairman and a vice-chairman. The Commission shall
18 appoint such officers or employees as may be required to
19 carry the provisions of this compact into effect, shall fix
20 and determine their duties, qualifications and compensation,
21 and may at its pleasure, remove or discharge any such
22 officer or employee. The Commission shall adopt rules and
23 regulations for the conduct of its business. It may establish
24 and maintain one or more offices for the transaction of its

1 business and may meet at any time or place but must meet
2 at least once a year.

3 A majority of the members of the Commission repre-
4 senting a majority of the signatory states shall constitute
5 a quorum for the transaction of its general business, but no
6 action of the Commission imposing any obligation on any
7 signatory state shall be binding unless a majority of the
8 members from such signatory state shall have voted in favor
9 thereof. For the purpose of conducting its general business,
10 voting shall be by state units.

11 The representatives of any two or more member states,
12 upon notice to the Chairman as to the time and purpose
13 of the meeting, may meet as a Section for the discussion
14 of problems common to those states.

15 Sections established by groups of member states shall
16 have the same powers with respect to officers, employees
17 and the maintenance of offices as are granted by this article
18 to the Commission. Sections may adopt such rules, regula-
19 tions and procedures as may be necessary for the conduct
20 of their business.

21 ARTICLE VIII

22 It shall be the duty of each member state to formulate
23 and put in effect a forest fire plan for that state and to take
24 such measures as may be recommended by the Commission

1 to integrate such forest fire plan with the regional forest fire
2 plan.

3 Whenever the state forest fire control agency of a mem-
4 ber state requests aid from the state forest fire control agency
5 of any other member state in combatting, controlling or
6 preventing forest fires, it shall be the duty of the state forest
7 fire control agency of that state to render all possible aid
8 to the requesting agency which is consonant with the mainte-
9 nance of protection at home.

10 Each signatory state agrees to render aid to the Forest
11 Service or other agencies of the Government of the United
12 States in combatting, controlling or preventing forest fires
13 in areas under their jurisdiction located within the member
14 state or a contiguous member state.

15 ARTICLE IX

16 Whenever the forces of any member state are rendering
17 outside aid pursuant to the request of another member state
18 under this compact, the employees of such state shall, under
19 the direction of the officers of the state to which they are
20 rendering aid, have the same powers (except the power of
21 arrest), duties, rights, privileges and immunities as com-
22 parable employees of the state to which they are rendering
23 aid.

24 No member state or its officers or employees rendering
25 outside aid pursuant to this compact shall be liable on account

1 of any act or omission on the part of such forces while so
2 engaged, or on account of the maintenance or use of any
3 equipment or supplies in connection therewith.

4 All liability that may arise either under the laws of the
5 requesting state or under the laws of the aiding state or under
6 the laws of a third state on account of or in connection with
7 a request for aid, shall be assumed and borne by the request-
8 ing state.

9 Any member state rendering outside aid pursuant to
10 this compact shall be reimbursed by the member state
11 receiving such aid for any loss or damage to, or expense in-
12 curred in the operation of any equipment answering a
13 request for aid, and for the cost of all materials, transpor-
14 tation, wages, salaries, and maintenance of employees and
15 equipment incurred in connection with such request. Pro-
16 vided, that nothing herein contained shall prevent any assist-
17 ing member state from assuming such loss, damage, expense
18 or other cost or from loaning such equipment or from
19 donating such services to the receiving member state without
20 charge or cost.

21 Each member state shall provide for the payment of
22 compensation and death benefits to injured employees and
23 the representatives of deceased employees in case employees
24 sustain injuries or are killed while rendering outside aid
25 pursuant to this compact, in the same manner and on the

1 same terms as if the injury or death were sustained within
2 such state.

3 For the purposes of this compact the term employee
4 shall include any volunteer or auxiliary legally included
5 within the forest fire fighting forces of the aiding state under
6 the laws thereof.

7 The Commission shall formulate procedures for claims
8 and reimbursement under the provisions of this article.

9 Aid by a member state to an area subject to federal
10 jurisdiction beyond the borders of such state shall not be
11 required under this compact unless substantially the same
12 provisions of this article relative to powers, liabilities, losses
13 and expenses in connection with such aid are embodied
14 in federal laws.

15 ARTICLE X

16 When appropriations for the support of this Commis-
17 sion or for the support of common services maintained by
18 the Commission or a section thereof under the provisions
19 of Article V are necessary, the Commission or section there-
20 of shall allocate the costs among the states affected with
21 consideration of the amounts of forested land in those
22 states that will receive protection from the service to be
23 rendered and the extent of the forest fire problem involved
24 in each state, and shall submit its recommendations accord-
25 ingly to the legislatures of the affected states.

1 The Commission shall submit to the governor of each
2 state, at such time as he may request, a budget of its esti-
3 mated expenditures for such period as may be required
4 by the laws of such state for presentation to the legislature
5 thereof.

6 The Commission shall keep accurate books of account,
7 showing in full its receipts and disbursements, and said books
8 of account shall be open at any reasonable time to the
9 inspection of such representatives of the respective signatory
10 states as may be duly constituted for that purpose.

11 On or before the first day of December of each year,
12 the Commission shall submit to the respective governors of
13 the signatory states a full and complete report of its activities
14 for the preceding year.

15 ARTICLE XI

16 The representatives from any member state may appoint
17 and consult with an advisory committee composed of persons
18 interested in forest fire protection.

19 The Commission may appoint and consult with an ad-
20 visory committee of representatives of all affected groups,
21 private and governmental.

22 ARTICLE XII

23 The Commission may accept any and all donations, gifts
24 and grants of money, equipment, supplies, materials and
25 services from the federal or any local government, or any

1 agency thereof and from any person, firm or corporation,
2 for any of its purposes and functions under this compact,
3 and may receive and utilize the same subject to the terms,
4 conditions and regulations governing such donations, gifts
5 and grants.

6 ARTICLE XIII

7 Nothing in this compact shall be construed to authorize
8 or permit any member state to curtail or diminish its forest
9 fire fighting forces, equipment, services or facilities, and
10 it shall be the duty and responsibility of each member state
11 to maintain adequate forest fire fighting forces and equip-
12 ment to meet normal demands for forest fire protection
13 within its borders.

14 Nothing in this compact shall be construed to limit
15 or restrict the powers of any state ratifying the same to
16 provide for the prevention, control and extinguishment of
17 forest fires, or to prohibit the enactment or enforcement
18 of state laws, rules or regulations intended to aid in such
19 prevention, control and extinguishment in such state.

20 Nothing in this compact shall be construed to affect
21 any existing or future cooperative relationship or arrange-
22 ment between the United States Forest Service and a
23 member state or states.

ARTICLE XIV

1

2 This compact shall continue in force and remain binding
3 on each state ratifying it until the legislature or the gov-
4 ernor of such state takes action to withdraw therefrom. Such
5 action shall not be effective until six months after notice
6 thereof has been sent by the chief executive of the state
7 desiring to withdraw to the chief executives of all states
8 then parties to the compact.

9 SEC. 2. Without further submission of the compact,
10 the consent of Congress is given to any State to become a
11 party to it in accordance with its terms.

12 SEC. 3. The right to alter, amend, or repeal this Act
13 is expressly reserved.

81ST CONGRESS
1ST SESSION

H. R. 4535

[Report No. 721]

A BILL

Granting the consent and approval of Congress
to an interstate forest fire protection com-
pact.

By Mr. COTTON

MAY 5, 1949

Referred to the Committee on Agriculture

JUNE 2, 1949

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHING PONDS AND FISH HATCHERIES

The Clerk called the bill (H. R. 961) to establish rearing ponds and a fish hatchery.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. POTTER. Mr. Speaker, reserving the right to object, and I will not object, I ask the chairman of the committee if there is not an error in the report, and should not the report read that the cost of this will be \$325,000?

Mr. THOMPSON. Mr. Speaker, that is correct. The gentleman is correct.

Mr. POTTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, for the establishment and construction of rearing ponds and a fish hatchery at a suitable location on the Anna River, in Alger County, Mich., a sum not to exceed \$50,000.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior is hereby authorized to establish and construct rearing ponds and a fish hatchery for experimental purposes at a suitable location in the upper peninsula of Michigan."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINNESOTA CHIPPEWA TRIBES

The Clerk called the bill (H. R. 3895) to declare that the United States holds certain lands in trust for the Minnesota Chippewa Tribe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title to the lands and interest in lands, together with the improvements thereon, and proceeds from rents and sales therefrom, which have been acquired by the United States under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), and of section 55 of title I of the act of August 24, 1935 (49 Stat. 750, 781), lying and situate within the State of Minnesota, administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior by Executive Order No. 7868, dated April 16, 1938, is hereby declared to be held in trust by the United States of America for the use and benefit of the Minnesota Chippewa Tribe, and the Secretary of the Interior is hereby authorized to proclaim such lands as an addition to the White Earth Indian Reservation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UINTAH INDIAN IRRIGATION PROJECT, UTAH

The Clerk called the bill (H. R. 4070) to cancel drainage charges against certain lands within the Uintah Indian irrigation project, Utah.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the action of the Secretary of the Interior by order dated October 15, 1943, taken pursuant to the authority contained in the act of June 22, 1936 (49 Stat. 1803), in canceling \$23,090.62 of irrigation drainage charges due the United States against three thousand one hundred and twenty and five one-hundredths acres of non-Indian-owned land within the Uintah irrigation project, Utah, is hereby approved, and the Secretary of the Interior is directed to take any necessary action to remove from the records the landowners' obligations so canceled.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF AGRICULTURE TO QUITCLAIM CERTAIN LAND IN MISSISSIPPI

The Clerk called the bill (H. R. 3680) to authorize the Secretary of Agriculture to quitclaim 5.1 acres of land in Washington County, Miss., to the Mississippi State College.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed to the Mississippi State College that certain tract of land situated in the county of Washington, State of Mississippi, described as follows:

Commencing at an iron corner at the northeast corner of section 10, township 18 north, range 7 west; thence south five degrees fifty minutes west two thousand seven hundred and seventy-seven feet to the point of beginning, the same being the southeast corner of the tract described; thence south eighty-four degrees seven minutes west one thousand twenty-nine and nine-tenths feet to the southwest corner of the tract; thence north no degrees thirty-eight minutes east two hundred and sixteen feet to the northwest corner of the tract; thence north eighty-four degrees seven minutes east one thousand twenty and nine-tenths feet to the northeast corner of the tract; thence south no degrees thirty-eight minutes west two hundred and sixteen feet to the point of beginning, and containing five and one-tenth acres, more or less.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING BENEFITS OF ADAMS ACT TO TERRITORY OF ALASKA

The Clerk called the bill (H. R. 133) to amend section 2 of the act approved June 20, 1936, entitled "An act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act approved June 20, 1936, entitled "An act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes" (49 Stat. 1553), is amended to read as follows:

"Sec. 2. To carry into effect the above provisions for extending to the Territory of Alaska the benefits of the said Adams Act and the said Purnell Act, there is hereby authorized to be appropriated each year a sum equal to that provided for each State and Territory under the said Adams Act and the said Purnell Act."

With the following committee amendment:

Page 2, line 4, strike out the word "same" and insert the word "said."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING THE ADAMS ACT TO ALASKA, ETC.

The Clerk called the bill (H. R. 212) to amend section 3 of the act approved June 20, 1936, entitled "An act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes."

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act approved June 20, 1936, entitled "An act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes" (49 Stat. 1553), is amended to read as follows:

"Sec. 3. To carry into effect the above provisions for extending to the Territory of Alaska the benefits of the said Capper-Ketcham Act there is hereby authorized to be appropriated each year a sum equal to that provided for each State and Territory under the said Capper-Ketcham Act: *Provided*, That no appropriations shall be made under this act until annually estimated as to funds and amounts by the Secretary of Agriculture, the estimates to be based upon his determination of the ability of the Territory of Alaska to make effective use of the funds: *And provided further*, That whereas the said Capper-Ketcham Act provides that 'at least 80 percent of all appropriations under this act shall be utilized for the payment of salaries of extension agents in counties of the several States to further develop the cooperative extension system in agriculture and home economics with men, women, boys, and girls', the several established judicial divisions of the Territory of Alaska, as the same shall exist from time to time, shall be considered as counties for the purpose of complying with the provisions of this act until a subdivision of the Territory of Alaska into counties is effected."

With the following committee amendment:

Strike out all after the enacting clause, and insert "That there are hereby extended to the Territory of Alaska the provisions of

section 21 and section 23 of title II of the act entitled 'An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges,' approved June 29, 1935, as amended, and known as the Bankhead-Jones Act, and the act entitled 'An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture,' approved May 22, 1928, and known as the Capper-Ketcham Act.

"Sec. 2. There is hereby authorized to be appropriated annually for carrying out the purposes of this act an amount computed on the same basis as appropriations to States are computed: *Provided*, That no appropriations shall be made under this act until annually estimated as to funds and amounts by the Secretary of Agriculture, the estimates to be based upon his determination of the ability of the Territory of Alaska to make effective use of the funds: *And provided further*, That whereas the Capper-Ketcham Act approved May 22, 1928, provides that 'at least 80 percent of all appropriations under this act shall be utilized for the payment of salaries of extension agents in counties of the several States to further develop the cooperative extension system in agriculture and home economics with men, women, boys, and girls,' the several established judicial divisions of the Territory of Alaska, as the same shall exist from time to time, shall be considered as counties for the purpose of complying with the provisions of this act until a subdivision of the Territory of Alaska into counties is effected.

"Sec. 3. That portion of section 1 of the act of June 20, 1936 (49 Stat. 1553), which extends the provisions of the Capper-Ketcham Act to the Territory of Alaska, and section 3 of said act of June 20, 1936, are repealed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to extend to the Territory of Alaska the benefits of certain acts of Congress, and for other purposes."

A motion to reconsider was laid on the table.

INTERSTATE FOREST FIRE PROTECTION COMPACT

The Clerk called the bill (H. R. 4535) granting the consent and approval of Congress to an interstate forest fire protection compact.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. PACE. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 1659) be substituted for the House bill (H. R. 4535).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to an

interstate forest fire protection compact, as hereinafter set out; but before any Province of the Dominion of Canada shall be made a party to such compact, the further consent of Congress shall first be obtained. Such compact reads as follows:

NORTHEASTERN INTERSTATE FOREST FIRE PROTECTION COMPACT

ARTICLE I

The purpose of this compact is to promote effective prevention and control of forest fires in the northeastern region of the United States and adjacent areas in Canada by the development of integrated forest-fire plans, by the maintenance of adequate forest fire fighting services by the member States, by providing for mutual aid in fighting forest fires among the States of the region and for procedures that will facilitate such aid, and by the establishment of a central agency to coordinate the services of member States and perform such common services as member States may deem desirable.

ARTICLE II

This agreement shall become operative immediately as to those States ratifying it whenever any two or more of the States of Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, and the Commonwealth of Massachusetts have ratified it and the Congress has given its consent. Any State not mentioned in this article which is contiguous with any member State may become a party to this compact. Subject to the consent of the Congress of the United States, any Province of the Dominion of Canada which is contiguous with any member State may become a party to this compact by taking such action as its laws and the laws of the Dominion of Canada may prescribe for ratification. In this event, the term "State" in this compact shall include within its meaning the term "Province" and the procedures prescribed shall be applied in the instance of such Provinces, in accordance with the forms and practices of the Canadian Government.

ARTICLE III

Each State joining herein shall appoint three representatives to a Commission hereby designated as the Northeastern Forest Fire Protection Commission. One shall be the State forester or officer holding an equivalent position of such State who is responsible for forest-fire control. The second shall be a member of the legislature of such State designated by the Commission or committee on interstate cooperation of such State, or if there be none, or if said Commission on interstate cooperation cannot constitutionally designate the said member, such legislator shall be designated by the governor thereof: provided that if it is constitutionally impossible to appoint a legislator as a commissioner from such State, the second member shall be appointed by the governor of said State in his discretion. The third member shall be a person designated by the governor as the responsible representative of the governor. In the event that any Province of the Dominion of Canada shall become a member of this Commission, it shall designate three members who will approximate this pattern of representation to the extent possible under the law and practices of such Province. This Commission shall be a body corporate with the powers and duties set forth herein.

ARTICLE IV

It shall be the duty of the Commission to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the prevention and control of forest fires in the area comprising the member States, to coordinate the forest-fire plans and the work of the appropriate agencies of the member States and to facilitate the ren-

dering of aid by the member States to each other in fighting forest fires.

The Commission shall formulate and, in accordance with need, from time to time, revise a regional forest-fire plan for the entire region covered by the compact which shall serve as a common forest-fire plan for that area.

The Commission shall, more than 1 month prior to any regular meeting of the legislature in any signatory State, present to the governor and to the legislature of the State its recommendations relating to enactments to be made by the legislature of that State in furthering the interests and purposes of this compact.

The Commission shall consult with and advise the appropriate administrative agencies of the States party hereto with regard to problems connected with the prevention and control of forest fires and recommend the adoption of such regulations as it deems advisable.

The Commission shall have power to recommend to the signatory States any and all measures that will effectuate the prevention and control of forest fires.

ARTICLE V

Any two or more member States may designate the Northeastern Forest Fire Protection Commission as a joint agency to maintain such common services as those States deem desirable for the prevention and control of forest fires. Except in those cases where all member States join in such designation for common services, the representatives of any group of such designating States in the Northeastern Forest Fire Protection Commission shall constitute a separate section of such Commission for the performance of the common service or services so designated provided that, if any additional expense is involved, the States so acting shall appropriate the necessary funds for this purpose. The creation of such a section as a joint agency shall not affect the privileges, powers, responsibilities, or duties of the States participating therein as embodied in the other articles of this compact.

ARTICLE VI

The Commission may request the United States Forest Service to act as the primary research and coordinating agency of the Northeastern Forest Fire Protection Commission, in cooperation with the appropriate agencies in each State and the United States Forest Service may accept the initial responsibility in preparing and presenting to the Commission its recommendations with respect to the regional fire plan. Representatives of the United States Forest Service may attend meetings of the Commission and of groups of member States.

ARTICLE VII

The Commission shall annually elect from its members a chairman and a vice chairman. The Commission shall appoint such officers or employees as may be required to carry the provisions of this compact into effect, shall fix and determine their duties, qualifications, and compensation, and may at its pleasure, remove or discharge any such officer or employee. The Commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

A majority of the members of the Commission representing a majority of the signatory States shall constitute a quorum for the transaction of its general business, but no action of the Commission imposing any obligation on any signatory State shall be binding unless a majority of the members from such signatory State shall have voted in favor thereof. For the purpose of conducting its general business, voting shall be by State units.

The representatives of any two or more member States, upon notice to the Chairman as to the time and purpose of the meeting, may meet as a section for the discussion of problems common to those States.

Sections established by groups of member States shall have the same powers with respect to officers, employees, and the maintenance of offices as are granted by this article to the Commission. Sections may adopt such rules, regulations, and procedures as may be necessary for the conduct of their business.

ARTICLE VIII

It shall be the duty of each member State to formulate and put in effect a forest-fire plan for that State and to take such measures as may be recommended by the Commission to integrate such forest-fire plan with the regional forest-fire plan.

Whenever the State forest fire control agency of a member State requests aid from the State forest fire control agency of any other member State in combatting, controlling, or preventing forest fires, it shall be the duty of the State forest fire control agency of that State to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home.

Each signatory State agrees to render aid to the Forest Service or other agencies of the Government of the United States in combatting, controlling, or preventing forest fires in areas under their jurisdiction located within the member State or a contiguous member State.

ARTICLE IX

Whenever the forces of any member State are rendering outside aid pursuant to the request of another member State under this compact, the employees of such State shall, under the direction of the officers of the State to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges, and immunities as comparable employees of the State to which they are rendering aid.

No member State or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

All liability that may arise either under the laws of the requesting State or under the laws of the aiding State or under the laws of a third State on account of or in connection with a request for aid, shall be assumed and borne by the requesting State.

Any member State rendering outside aid pursuant to this compact shall be reimbursed by the member State receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and maintenance of employees and equipment incurred in connection with such request: *Provided*, That nothing herein contained shall prevent any assisting member State from assuming such loss, damage, expense or other cost or from loaning such equipment or from donating such services to the receiving member State without charge or cost.

Each member State shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such State.

For the purposes of this compact the term employees shall include any volunteer or

auxiliary legally included within the forest fire fighting forces of the aiding State under the laws thereof.

The Commission shall formulate procedures for claims and reimbursement under the provisions of this article.

Aid by a member State to an area subject to Federal jurisdiction beyond the borders of such State shall not be required under this compact unless substantially the same provisions of this article relative to powers, liabilities, losses and expenses in connection with such aid are embodied in Federal laws.

ARTICLE X

When appropriations for the support of this Commission or for the support of common services maintained by the Commission or a section thereof under the provisions of article V are necessary, the Commission or section thereof shall allocate the costs among the States affected with consideration of the amounts of forested land in those States that will receive protection from the service to be rendered and the extent of the forest-fire problem involved in each State, and shall submit its recommendations accordingly to the legislatures of the affected States.

The Commission shall submit to the governor of each State, at such time as he may request, a budget of its estimated expenditures for such period as may be required by the laws of such State for presentation to the legislature thereof.

The Commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time to the inspection of such representatives of the respective signatory States as may be duly constituted for that purpose.

On or before the first day of December of each year the Commission shall submit to the respective governors of the signatory States a full and complete report of its activities for the preceding year.

ARTICLE XI

The representatives from any member State may appoint and consult with an advisory committee composed of persons interested in forest-fire protection.

The Commission may appoint and consult with an advisory committee of representatives of all affected groups, private and governmental.

ARTICLE XII

The Commission may accept any and all donations, gifts, and grants of money, equipment, supplies, materials, and services from the Federal or any local government, or any agency thereof and from any person, firm, or corporation, for any of its purposes and functions under this compact, and may receive and utilize the same subject to the terms, conditions, and regulations governing such donations, gifts, and grants.

ARTICLE XIII

Nothing in this compact shall be construed to authorize or permit any member State to curtail or diminish its forest fire-fighting forces, equipment, services, or facilities, and it shall be the duty and responsibility of each member State to maintain adequate forest fire fighting forces and equipment to meet normal demands for forest fire protection within its borders.

Nothing in this compact shall be construed to limit or restrict the powers of any State ratifying the same to provide for the prevention, control, and extinguishment of forest fires, or to prohibit the enactment or enforcement of State laws, rules, or regulations intended to aid in such prevention, control, and extinguishment in such State.

Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the

United States Forest Service and a member State or States.

ARTICLE XIV

This compact shall continue in force and remain binding on each State ratifying it until the legislature or the governor of such State takes action to withdraw therefrom. Such action shall not be effective until 6 months after notice thereof has been sent by the chief executive of the State desiring to withdraw to the chief executives of all States then parties to the compact.

SEC. 2. Without further submission of the compact the consent of Congress is given to any State to become a party to it in accordance with its terms.

SEC. 3. The right to alter, amend, or repeal this act is expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4535) was laid on the table.

AMENDING SECTION 8C OF THE AGRICULTURAL ADJUSTMENT ACT

The Clerk called the bill (S. 1089) to amend section 8c of the Agricultural Adjustment Act, relating to marketing agreements and orders, to authorize the Secretary of Agriculture to issue orders under such section with respect to filberts.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsections (2) and (6) of section 8c of the Agricultural Adjustment Act, as amended (7 U. S. C. 608c (2) and (6)), are amended by inserting "filberts, almonds," after the word "including" in the phrase "including pecans and walnuts."

With the following committee amendment:

Page 1, line 5, after the word "filberts", insert the word "almonds."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to amend section 8c of the Agricultural Adjustment Act, relating to marketing agreements and orders, to authorize the Secretary of Agriculture to issue orders under such section with respect to filberts and almonds."

A motion to reconsider was laid on the table.

IMPROVEMENT OF POST-OFFICE FACILITIES AT LOS ANGELES

The Clerk called the bill (H. R. 1154) to provide authorization for additional funds for the extension and improvement of post-office facilities at Los Angeles, Calif., and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I understand there is a request that this bill be taken up under suspension of the rules, and I therefore ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. BYRNES]?

There was no objection.

DECLARING WATERWAY IN NEW HAVEN, CONN., A NONNAVIGABLE STREAM

The Clerk read the bill (H. R. 3511) to declare the waterway (in which is located the Brewery Street Channel) from Brewery Street southeastward to a line running south 33 degrees 53 minutes and 36 seconds west from the south side of Chestnut Street at New Haven, Conn., a nonnavigable stream.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FORD. Reserving the right to object, Mr. Speaker, I would like to have someone explain the details of this bill.

Mr. McGUIRE. Mr. Speaker, I introduced this bill at the request of the highway commissioner of the State of Connecticut and the mayor of the city of New Haven. It will permit filling of the channel area for relocation of highway route US 1 in New Haven. At the present time this route is the most important one of our entire State highway system. It threads its way through narrow congested streets with traffic subjected to delays and hazards.

I have a letter from the highway commissioner that explains this. He says he is desirous of obtaining all necessary approvals at an early date so that they can take full advantage of any available free material from current and proposed Federal dredging projects in the New Haven harbor. To date, as a part of the harbor front highway project, 3,400,000 cubic yards of fill from the harbor dredging have been placed in an adjacent area. An additional one million cubic yards of fill material is confined to that same area. The Brewery Street channel area requires about 1,100,000 additional cubic yards of fill. If the Brewery Street channel can be closed at an early date, a substantial portion of this required yardage will be available for this area without cost.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the portion of the waterway in which is located the Brewery Street Channel in the city of New Haven, Conn., lying northwest of a line extending south 33 degrees 53 minutes 36 seconds west from a point (located north 45 degrees 15 minutes 8 seconds west; distant 286 feet from United States harbor line mark 41 on the southerly side of Waterside Park) 4177 $\frac{1}{2}$ feet to the combined United States bulkhead and pierhead line on the upstream face of Canal Wharf as established by the Secretary of War, May 14, 1942, is hereby declared to be a nonnavigable water of the United States within the meaning of the Constitution and laws of the United States.

SEC. 2. Any project heretofore authorized by any act of Congress, insofar as such project relates to the above-described portion of the Brewery Street section of New Haven harbor, is hereby abandoned.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

The Clerk called the bill (H. R. 4295) to provide certain benefits for annuitants who retired under the Civil Service Retirement Act of May 29, 1930, prior to April 1, 1948.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, this bill calls for the expenditure of about \$157,000,000, entirely too large an amount for the Consent Calendar. I understand from the author of the bill that it is now before the Rules Committee. I therefore ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

BUREAU OF ANIMAL INDUSTRY

The Clerk called the bill (H. R. 459) to authorize the payment of employees of the Bureau of Animal Industry for overtime duty performed at establishments which prepare virus, serum toxin, or analogous products for use in the treatment of domestic animals.

Mr. JENSEN. Mr. Speaker, I wonder if some member of the committee can explain the bill?

Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The Clerk called the bill (H. R. 3946) to promote the national defense and to contribute to more effective aeronautical research by authorizing professional personnel of the National Advisory Committee for Aeronautics to attend accredited graduate schools for research and study.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the National Advisory Committee for Aeronautics (hereinafter referred to as the NACA) is authorized to grant to any professional employee of demonstrated ability who has served not less than 1 year in the NACA a leave or leaves of absence from his regularly designated duties for the purpose of allowing such employee to carry on graduate study or research in institutions of learning accredited as such by the laws of any State.

SEC. 2. Leaves of absence may be granted under authority of this act only for such graduate research or study as will contribute materially to the more effective functioning of the NACA.

SEC. 3. Leave or leaves of absence which may be granted to any employee under authority of this act shall not exceed a total of 1 year.

SEC. 4. Tuition and other incidental academic expenses shall be borne by the employee.

SEC. 5. Any leave of absence granted under the provisions of this act shall be without

loss of salary or compensation to the employee and shall not be deducted from any leave of absence with pay authorized by any other law. Any such employee shall make a definite statement, in writing, that he will return to and, unless involuntarily separated, will remain in the service of the NACA for a period of 6 months if the period for which he is granted such leave of absence does not exceed 12 weeks, or for a period of 1 year if the period of leave exceeds 12 weeks. Any employee who does not fulfill any such commitment shall be required to reimburse the Government for the amount of leave granted under this act.

With the following committee amendments:

Page 2, line 7, strike out the words "1 year" and insert in lieu thereof the words "52 weeks."

Page 2, lines 15 and 16, strike out the words "involuntarily separated" and insert in lieu thereof the following "separated for reasons beyond his control."

Page 2, line 22, after the word "of" insert the following: "compensation or salary received during the period of."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEDICAL SERVICE CORPS OF THE REGULAR ARMY

The Clerk called the bill (H. R. 4449) to provide for certain adjustments on the promotion list of the Medical Service Corps of the Regular Army.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

MEDICAL AND DENTAL CORPS OF THE NAVY

The Clerk called the bill (H. R. 4516) to amend section 312 of the Officer Personnel Act of 1947, as amended, so as to provide for the retention of certain officers of the Medical and Dental Corps of the Navy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Officer Personnel Act of 1947, as amended, is hereby further amended by deleting in the third proviso to subsection (b) of section 312 the words "22 in the Medical Corps," and the words "and 12 in the Dental Corps"; by inserting in the said proviso after the comma following the words "Civil Engineer Corps" the words "in the Medical Corps and in the Dental Corps a number as determined necessary by the Secretary of the Navy to meet the needs of the service"; by deleting in the said subsection the words "And provided further" and substituting in lieu thereof the words "Provided further"; and by adding at the end of the said subsection the following proviso: "And provided further, That until June 30, 1952, no captain of the Medical Corps or of the Dental Corps shall be subject to involuntary retirement pursuant to this subsection prior to reaching the age of 62."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

[PUBLIC LAW 129—81ST CONGRESS]

[CHAPTER 246—1ST SESSION]

[S. 1659]

AN ACT

Granting the consent and approval of Congress to an interstate forest fire protection compact.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to an interstate forest fire protection compact, as hereinafter set out; but before any province of the Dominion of Canada shall be made a party to such compact, the further consent of Congress shall first be obtained. Such compact reads as follows:

NORTHEASTERN INTERSTATE FOREST FIRE PROTECTION COMPACT

ARTICLE I

The purpose of this compact is to promote effective prevention and control of forest fires in the northeastern region of the United States and adjacent areas in Canada by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member states, by providing for mutual aid in fighting forest fires among the states of the region and for procedures that will facilitate such aid, and by the establishment of a central agency to coordinate the services of member states and perform such common services as member states may deem desirable.

ARTICLE II

This agreement shall become operative immediately as to those states ratifying it whenever any two or more of the states of Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York and the Commonwealth of Massachusetts have ratified it and the Congress has given its consent. Any state not mentioned in this article which is contiguous with any member state may become a party to this compact. Subject to the consent of the Congress of the United States, any province of the Dominion of Canada which is contiguous with any member state may become a party to this compact by taking such action as its laws and the laws of the Dominion of Canada may prescribe for ratification. In this event, the term "state" in this compact shall include within its meaning the term "province" and the procedures prescribed shall be applied in the instance of such provinces, in accordance with the forms and practices of the Canadian Government.

ARTICLE III

Each state joining herein shall appoint three representatives to a Commission hereby designated as the Northeastern Forest Fire Protection Commission. One shall be the State Forester or officer holding an equivalent position in such state who is responsible for forest fire control. The second shall be a member of the legislature of such state designated by the Commission or committee on interstate cooperation of such state, or if there be none, or if said Commission on interstate cooperation cannot constitutionally designate the said member, such legislator shall be designated by the governor thereof: provided that if it is constitutionally impossible to appoint a legislator as a Commissioner from such state, the second member shall be appointed by the governor of said state in his discretion. The third member shall be a person designated by the governor as the responsible representative of the governor. In the event that any province of the Dominion of Canada shall become a member of this Commission, it shall designate three members who will approximate this pattern of representation to the extent possible under the law and practices of such province. This Commission shall be a body corporate with the powers and duties set forth herein.

ARTICLE IV

It shall be the duty of the Commission to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the prevention and control of forest fires in the area comprising the member states, to coordinate the forest fire plans and the work of the appropriate agencies of the member states and to facilitate the rendering of aid by the member states to each other in fighting forest fires.

The Commission shall formulate and, in accordance with need, from time to time, revise a regional forest fire plan for the entire region covered by the compact which shall serve as a common forest fire plan for that area.

The Commission shall, more than one month prior to any regular meeting of the legislature in any signatory state, present to the governor and to the legislature of the state its recommendations relating to enactments to be made by the legislature of that state in furthering the interests and purposes of this compact.

The Commission shall consult with and advise the appropriate administrative agencies of the states party hereto with regard to problems connected with the prevention and control of forest fires and recommend the adoption of such regulations as it deems advisable.

The Commission shall have power to recommend to the signatory states any and all measures that will effectuate the prevention and control of forest fires.

ARTICLE V

Any two or more member states may designate the Northeastern Forest Fire Protection Commission as a joint agency to maintain such common services as those states deem desirable for the prevention and control of forest fires. Except in those cases where all member states join in such designation for common services, the representatives of

any group of such designating states in the Northeastern Forest Fire Protection Commission shall constitute a separate section of such Commission for the performance of the common service or services so designated provided that, if any additional expense is involved, the states so acting shall appropriate the necessary funds for this purpose. The creation of such a section as a joint agency shall not affect the privileges, powers, responsibilities or duties of the states participating therein as embodied in the other articles of this compact.

ARTICLE VI

The Commission may request the United States Forest Service to act as the primary research and coordinating agency of the Northeastern Forest Fire Protection Commission, in cooperation with the appropriate agencies in each state and the United States Forest Service may accept the initial responsibility in preparing and presenting to the Commission its recommendations with respect to the regional fire plan. Representatives of the United States Forest Service may attend meetings of the Commission and of groups of member states.

ARTICLE VII

The Commission shall annually elect from its members a chairman and a vice-chairman. The Commission shall appoint such officers or employees as may be required to carry the provisions of this compact into effect, shall fix and determine their duties, qualifications and compensation, and may at its pleasure, remove or discharge any such officer or employee. The Commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

A majority of the members of the Commission representing a majority of the signatory states shall constitute a quorum for the transaction of its general business, but no action of the Commission imposing any obligation on any signatory state shall be binding unless a majority of the members from such signatory state shall have voted in favor thereof. For the purpose of conducting its general business, voting shall be by state units.

The representatives of any two or more member states, upon notice to the Chairman as to the time and purpose of the meeting, may meet as a Section for the discussion of problems common to those states.

Sections established by groups of member states shall have the same powers with respect to officers, employees and the maintenance of offices as are granted by this article to the Commission. Sections may adopt such rules, regulations and procedures as may be necessary for the conduct of their business.

ARTICLE VIII

It shall be the duty of each member state to formulate and put in effect a forest fire plan for that state and to take such measures as may be recommended by the Commission to integrate such forest fire plan with the regional forest fire plan.

Whenever the state forest fire control agency of a member state requests aid from the state forest fire control agency of any other

member state in combatting, controlling or preventing forest fires, it shall be the duty of the state forest fire control agency of that state to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home.

Each signatory state agrees to render aid to the Forest Service or other agencies of the government of the United States in combatting, controlling or preventing forest fires in areas under their jurisdiction located within the member state or a contiguous member state.

ARTICLE IX

Whenever the forces of any member state are rendering outside aid pursuant to the request of another member state under this compact, the employees of such state shall, under the direction of the officers of the state to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges and immunities as comparable employees of the state to which they are rendering aid.

No member state or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

All liability that may arise either under the laws of the requesting state or under the laws of the aiding state or under the laws of a third state on account of or in connection with a request for aid, shall be assumed and borne by the requesting state.

Any member state rendering outside aid pursuant to this compact shall be reimbursed by the member state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and maintenance of employees and equipment incurred in connection with such request. Provided, that nothing herein contained shall prevent any assisting member state from assuming such loss, damage, expense or other cost or from loaning such equipment or from donating such services to the receiving member state without charge or cost.

Each member state shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such state.

For the purposes of this compact the term employee shall include any volunteer or auxiliary legally included within the forest fire fighting forces of the aiding state under the laws thereof.

The Commission shall formulate procedures for claims and reimbursement under the provisions of this article.

Aid by a member state to an area subject to federal jurisdiction beyond the borders of such state shall not be required under this compact unless substantially the same provisions of this article relative to powers, liabilities, losses and expenses in connection with such aid are embodied in federal laws.

ARTICLE X

When appropriations for the support of this Commission or for the support of common services maintained by the Commission or a section thereof under the provisions of Article V are necessary, the Commission or section thereof shall allocate the costs among the states affected with consideration of the amounts of forested land in those states that will receive protection from the service to be rendered and the extent of the forest fire problem involved in each state, and shall submit its recommendations accordingly to the legislatures of the affected states.

The Commission shall submit to the governor of each state, at such time as he may request, a budget of its estimated expenditures for such period as may be required by the laws of such state for presentation to the legislature thereof.

The Commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time to the inspection of such representatives of the respective signatory states as may be duly constituted for that purpose.

On or before the first day of December of each year, the Commission shall submit to the respective governors of the signatory states a full and complete report of its activities for the preceding year.

ARTICLE XI

The representatives from any member state may appoint and consult with an advisory committee composed of persons interested in forest fire protection.

The Commission may appoint and consult with an advisory committee of representatives of all affected groups, private and governmental.

ARTICLE XII

The Commission may accept any and all donations, gifts and grants of money, equipment, supplies, materials and services from the federal or any local government, or any agency thereof and from any person, firm or corporation, for any of its purposes and functions under this compact, and may receive and utilize the same subject to the terms, conditions and regulations governing such donations, gifts and grants.

ARTICLE XIII

Nothing in this compact shall be construed to authorize or permit any member state to curtail or diminish its forest fire fighting forces, equipment, services or facilities, and it shall be the duty and responsibility of each member state to maintain adequate forest fire fighting forces and equipment to meet normal demands for forest fire protection within its borders.

Nothing in this compact shall be construed to limit or restrict the powers of any state ratifying the same to provide for the prevention, control and extinguishment of forest fires, or to prohibit the enactment or enforcement of state laws, rules or regulations intended to aid in such prevention, **control** and extinguishment in such state.

Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member state or states.

ARTICLE XIV

This compact shall continue in force and remain binding on each state ratifying it until the legislature or the governor of such state takes action to withdraw therefrom. Such action shall not be effective until six months after notice thereof has been sent by the chief executive of the state desiring to withdraw to the chief executives of all states then parties to the compact.

SEC. 2. Without further submission of the compact, the consent of Congress is given to any State to become a party to it in accordance with its terms.

SEC. 3. The right to alter, amend, or repeal this Act is expressly reserved.

Approved June 25, 1949.

